



# City of Hamilton

## PLANNING COMMITTEE REVISED AGENDA

**Meeting #:** 22-002  
**Date:** February 1, 2022  
**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

---

	<b>Pages</b>
<b>1. CEREMONIAL ACTIVITIES</b>	
<b>2. APPROVAL OF AGENDA</b> (Added Items, if applicable, will be noted with *)	
<b>3. DECLARATIONS OF INTEREST</b>	
<b>4. APPROVAL OF MINUTES OF PREVIOUS MEETING</b>	
4.1. January 11, 2022	4
<b>5. COMMUNICATIONS</b>	
5.1. Spencer McKay, UrbanCore Developments, respecting Exemption Request for 3033 and 3063 Binbrook Road Recommendation: Be received.	34

- \*5.2. Communications respecting 310 Frances Avenue (Item 7.3) 36  
(i) Sherry Hayes  
(ii) Michelle Blanchette  
(iii) Colleen Saunders

Recommendation: Be received and referred to the consideration of Item 7.3.

## 6. DELEGATION REQUESTS

- \*6.1. Ryan Sneek respecting the Heritage Permit Application for 124 St. Clair Avenue (Item 7.1) (For today's meeting)
- \*6.2. Viv Saunders, Lakewood Beach Community Council respecting Items 7.2 and 7.3 (For today's meeting)

## 7. CONSENT ITEMS

- 7.1. Hamilton Municipal Heritage Committee Report 22-001 43
- 7.2. Appeal of Zoning By-law Amendment Application ZAC-20-043 and Draft Plan of Subdivision Application 25T-202009 for Lands Located at 262 McNeilly Road and 1036 - 1090 Barton Street, Stoney Creek (PED22022) (Ward 10) 81
- 7.3. Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue, Stoney Creek (PED19115(a)) (Ward 10) 103

## 8. STAFF PRESENTATIONS

## 9. PUBLIC HEARINGS / DELEGATIONS

- 9.1. City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) (Outstanding Business List Item) 151



9.1.a.	Written Submissions:	328
	(i) Nada and Jon Barlow	
	(ii) Viv Saunders	
	(iii) Heather Saltys	
	(iv) Tammy Felts, President WCECC #479	
	(v) Patricia Townson	
	* (vi) Miguel A Byrne	
	* (vii) Sherry Corning	
	* (viii) Nancy Hurst	
	* (ix) Linda MacMillan	
	* (x) Shujaat Siddiqui	

*9.1.b.	Added Delegation Requests:	
	(i) Viv Saunders, Lakewood Beach Community Council	
	(ii) Tammy Felts, WCECC #479	

**10. DISCUSSION ITEMS**

**11. MOTIONS**

11.1.	City Ambassadors on the Waterfront Trail	358
-------	--	-----

**12. NOTICES OF MOTION**

*12.1.	Nuisance Party By-law	359
--------	-----------------------	-----

*12.2.	Amendment to the Removal of Snow and Ice By-law respecting the definition of "clearing"	360
--------	---	-----

**13. GENERAL INFORMATION / OTHER BUSINESS**

**14. PRIVATE AND CONFIDENTIAL**

**15. ADJOURNMENT**



## **PLANNING COMMITTEE MINUTES**

### **22-001**

**January 11, 2022**

**9:30 a.m.**

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

**Present:** Councillors M. Wilson (Acting Chair)  
L. Ferguson, M. Pearson, J. Farr, J.P. Danko, and J. Partridge

**Absent with Regrets:** Councillor B. Johnson (Personal)

**Also in Attendance:** Councillor A. VanderBeek

---

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

##### **1. Hamilton Municipal Heritage Committee Report 21-009 (Item 7.1)**

**(Pearson/Ferguson)**

**(i) Inventory and Research Working Group Meeting Notes – September 27, 2021 (Item 10.1)**

That the property located at 250 Charlton Avenue West, the Hamilton Amateur Athletic Association (HAAA) Grounds, be added to the Municipal Heritage Register.

**(ii) Hamilton Municipal Heritage Committee's Heritage Nominations for 2021 (Item 10.2)**

That the following Nominations for the Hamilton Municipal Heritage Committee's Heritage Recognition Awards 2021, be approved, **as amended**:

**(1) Heritage Property Conservation Award**

Presented to property owners who have demonstrated an outstanding contribution to the conservation, restoration and preservation of Hamilton's built heritage:

- (a) 39 Homewood Avenue, Hamilton, ON - WARD 1
- (b) 174/178 Chedoke Avenue, Hamilton, ON – WARD 1

- (c) 254 MacNab Street North, Hamilton, ON (Painted Lady) – WARD 2
- (d) 3 Fallsview Road, Greensville, ON – WARD 13
- (e) 19 Viewpoint Avenue, Hamilton, ON (Sacred Heart Parish) – WARD 7
- (f) 131- 135 Aberdeen Avenue, Hamilton, ON (Gateside) – WARD 2
- (g) 23 Undercliff Avenue, Hamilton, ON - WARD 2

**(2) Heritage Property Developer Award**

Presented to heritage property developers who have demonstrated an outstanding contribution to the conservation, restoration and preservation of Hamilton's built heritage:

- (a) Core Urban Inc. - 53 King Street East, Hamilton, ON - Arliss Building (The Olympia Club) - WARD 2

**(3) Adaptive Reuse of a Heritage Property Award**

Presented to property owners who have demonstrated an outstanding contribution to the conservation, restoration and preservation of Hamilton's built heritage through adaptive reuse:

- (a) 147 Mary Street, Hamilton, ON (Good Shepherd 147 - Former nylon/clothing factory now converted to residential) – WARD 2
- (b) 141 Park Street North, Hamilton, ON (The Gasworks Cultural Centre - Former offices now converted to a cultural centre) - WARD 2

**(4) Cultural Heritage Landscape Award**

Recognizing the efforts of an individual or team who has demonstrated an outstanding contribution to the conservation of Hamilton's cultural heritage landscapes:

- (a) 1499 Upper Wellington St, Hamilton, ON (Young Family Cemetery) – WARD 7

**(5) Sustainable Design in Heritage Award**

Presented to property owners who have demonstrated an outstanding contribution to the conservation of Hamilton's built heritage and landscapes in a sustainable manner.

NO NOMINATIONS

**(6) Making Heritage Accessible Award**

Presented to heritage property owners who have demonstrated an outstanding contribution to the conservation of Hamilton's heritage

by making an inaccessible property accessible to all citizens of Hamilton:

- (a) 6180 White Church Road East, Mount Hope, ON (Case United Church) Project included construction of new accessible washrooms, lift in the Sanctuary and barrier-free entrance – WARD 11

**(7) Education in Heritage Award**

Recognizing the efforts of local historians and educators who have played a significant role in educating people on the conservation of Hamilton's tangible and intangible heritage:

- (a) Lance Darren Cole, Patrick Douthart, Nathan McCrory (Production of various videos describing heritage properties for Doors Open Hamilton)
- (b) Memory Lane - Downtown BIA QR Code Project (The Downtown Hamilton Business Improvement Area) – WARD 2
- (c) Leanne Pluthero (Local Historian with a focus on Auchmar and Century Manor)

**(8) The Art of Heritage Award [NEW CATEGORY]**

Recognizing the efforts of local artists who have played a significant role in educating people on the conservation of Hamilton's tangible and intangible heritage:

- (a) Danuta Niton, Visual Artist, Graphic Designer, Muralist and Arts Educator (Daughter Kasia Niton helped with the Book) – My Walks of Art(book)
- (b) Elizabeth Sue Hanna, Visual Artist (3D heritage mixed media)
- (c) The Power of Design Exhibit (A collaboration of Photographer Francis Fougere, Architect Chris Harrison and Architectural Historian Megan Hobson)

**(9) Heritage Group, Society or Specialty Team Award**

Recognizing the efforts of a heritage group, society or specialty team who has demonstrated an outstanding contribution to the conservation of Hamilton's heritage:

- (a) Hamilton Police Historical Society – WARD 12
- (b) Ancaster Village Heritage Community – WARD 12
- (c) Flamborough Archives and Heritage Society – WARD 13

**(10) Heritage Streetscape Revitalization Award [NEW CATEGORY]**  
Recognizing the efforts of a property owner who has demonstrated an outstanding contribution to the enhancement of Hamilton's heritage streetscapes through conservation and revitalization:

- (a) 302 James Street North, Hamilton, ON – WARD 2
- (b) 431- 435 Barton Street East, Hamilton, ON – WARD 2

**(iii) Hamilton Municipal Heritage Committee Year in Review 2021 (PED21179) (City Wide) (Item 10.3)**

That Report PED21179 respecting the Hamilton Municipal Heritage Committee Year in Review 2021, be received.

**Result: Main Motion, As Amended, CARRIED by a vote of 6 to 0, as follows:**

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

**2. Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 125 and 129 Robert Street, Hamilton (PED20015(a)) (Ward 2) (Outstanding Business List Item) (Item 7.2)**

**(Farr/Partridge)**

- (a) That Official Plan Amendment Application UHOPA-17-033 by Vision Hamilton Inc, Owner, for a change in designation on Schedule "M-2" of the West Harbour (Setting Sail) Secondary Plan in the former City of Hamilton Official Plan to add a Site Specific Policy Area to permit the development of a six unit, three storey multiple dwelling with a maximum residential density of 142 units per gross hectare, for lands located at 125 and 129 Robert Street, as shown on Appendix "A" attached to Report PED20015(a), be APPROVED as per Planning Committee direction from its meeting at January 14, 2020;
- (b) That Amended Zoning By-law Amendment Application ZAC-17-073 by Vision Hamilton Inc., Owner, for a change in zoning from the "D/S-378" (Urban Protected Residential – One and Two Family Dwellings) District, Modified to the "DE-2/S-1800" (Multiple Dwellings) District, Modified to permit a six unit, three storey multiple dwelling with no on-site parking on lands located at 125 and 129 Robert Street, Hamilton, as shown on

Appendix "A" attached to Report PED20015(a), be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "C" to Report PED20015(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (c) That the revisions to the draft By-law, attached as Appendix "C" to Report PED20015(a), maintains the intent of the concept plan presented at the January 14, 2020 Planning Committee meeting, being the Statutory Public Meeting in accordance with the *Planning Act*, and the approval of the attached By-law does not require further public notice in accordance with Section 34(17) of the *Planning Act*;
- (d) That Item 21H respecting 125 – 129 Robert Street, Hamilton (Ward 2), be considered complete and removed from the Planning Committee's Outstanding Business List.

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

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

**3. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED22008) (City Wide) (Item 7.3)**

**(Pearson/Ferguson)**

That Report PED22008 respecting the Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED22008) (City Wide), be received.

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

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

**4. Application for Removal of a Holding Provision by Fengate Hamilton Lands GP Inc. et al. for Lands Located at 75 James Street South, 44 Hughson Street South and 9 Jackson Street East, Hamilton (PED22024) (Ward 2) (Item 7.4)**

**(Farr/Pearson)**

- (a) That in accordance with Council's decision not to appeal the Minor Variance Application, the proposal is therefore deemed to comply with the Official Plan in accordance with Section 63 of the *Planning Act*;
  - (i) That the By-law, attached as Appendix "B" to Report PED22024, to remove the 'H' Holding Provision from the subject lands, which has been prepared in a form satisfactory to Corporate Counsel, be forwarded to Council for enactment;
  - (ii) That Schedule "A", Map No. 952 of Zoning By-law No. 05-200 be amended by changing the zoning from the Downtown Mixed Use – Pedestrian Focus (D2, H17, H19, H20) Zone and the Downtown Central Business District (D1, H17, H19, H20) Zone, to the Downtown Mixed Use – Pedestrian Focus (D2) Zone and the Downtown Central Business District (D1) Zone;
- (b) That staff be directed and authorized to include the necessary revisions in a future housekeeping amendment to the Downtown Hamilton Secondary Plan and Zoning By-law to reflect the Minor Variance Application (HM/A 21:221) approval by the Committee of Adjustment.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

**5. Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 281 Hamilton Drive and 356 Wilson Street West, Ancaster (PED22004) (Ward 12) (Item 9.1)**

**(Ferguson/Pearson)**

- (a) That Official Plan Amendment Application UHOPA-20-009 by A.J. Clarke and Associates c/o Stephen Fraser, on behalf of RUDY & Associates c/o Michelle Cutts, Owner, to re-designate the lands from the "Low Density Residential 1" to "Low Density Residential 3" designation on Map B.2.8-1 Land Use Plan in the Ancaster Wilson Street Secondary Plan in the Urban

Hamilton Official Plan, to permit ten townhouse dwelling units on a private driveway, for lands located at 281 Hamilton Drive and 356 Wilson Street West, as shown on Appendix "A" attached to Report PED22004, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED22004, be adopted by City Council;
  - (ii) That the proposed Official Plan 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-20-014 by A.J. Clarke and Associates c/o Stephen Fraser, on behalf of RUDY & Associates c/o Michelle Cutts, Owner, for a change in zoning from the Deferred Development "D" Zone and the Urban Commercial "C4-288" Zone to a site specific Residential Multiple "RM2" (RM2-713) Zone, Modified, in the Town of Ancaster Zoning By-law No. 87-57, to permit ten townhouse dwelling units accessed from a private driveway, for lands located at 281 Hamilton Drive and 356 Wilson Street West, as shown on Appendix "A" attached to Report PED22004, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix "C" attached to Report PED22004, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the amending By-law attached as Appendix "C" attached to Report PED22004, be added to District Map No. 1-B of Zoning By-law No. 87-57 as "RM2-713";
  - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the Urban Hamilton Official Plan upon the approval of Official Plan Amendment No. \_\_\_\_\_.
- (c) ***That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

**Result: Main Motion, As Amended, CARRIED by a vote of 6 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 15 Councillor Judi Partridge



YES - Ward 12 Councillor Lloyd Ferguson  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson

**6. Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 315 Robert Street and 223, 225 and 247 East Avenue North, Hamilton (PED22007) (Ward 3) (Item 9.2)**

**(Pearson/Farr)**

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-21-013, by Indwell Community Homes, Owner, to add an Urban Site Specific to Volume 3, Chapter C and amend Map 2a – Urban Site Specific Key Map (Lower City) to permit a multiple dwelling with a maximum density of 284 units per hectare, for the lands located at 315 Robert Street and 219, 225 and 247 East Avenue North, as shown on Appendix “A” attached to Report PED22007, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22007, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended;
- (b) That Zoning By-law Amendment Application ZAC-21-028, Indwell Community Homes, Owner, for a change in zoning from the “E/S-881”, “E/S-881a” (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified and “D/S-881”, “D/S-881a” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified to the “E/S-1812” (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” of Appendix “B” attached to Report PED22007 to permit a three storey, 31 unit multiple dwelling, for the lands located at 315 Robert Street and a portion of the lands located at 225 East Avenue, as shown on Appendix “A” attached to Report PED22007, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED22007, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended and will comply with the Urban Hamilton Official Plan upon finalization of the Official Plan Amendment No. XX.

- (c) *That the public submissions regarding this matter were received and considered by the Committee in approving the application.*

**Result: Main Motion, As Amended, CARRIED by a vote of 5 to 0, as follows:**

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

**7. Municipal Comprehensive Review / Official Plan Review – Draft Urban Hamilton Official Plan Amendment – Conformity Amendment and Draft Rural Hamilton Official Plan Amendment – Firm Urban Boundary (PED21067(a)) (City Wide) (Item 10.1)**

**(Farr/Ferguson)**

That Report PED21067(a) respecting Municipal Comprehensive Review / Official Plan Review – Draft Urban Hamilton Official Plan Amendment – Conformity Amendment and Draft Rural Hamilton Official Plan Amendment – Firm Urban Boundary, be referred to the January 19, 2022 Council meeting.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

**8. Amendments to By-law No. 10-197, the Hamilton Sign By-Law, respecting Election Signs (FCS22003/LS22006/PED22018) (City Wide) (Item 10.3)**

**(Pearson/Wilson)**

- (a) That Report FCS22003/LS22006/PED22018 respecting Amendments to By-law No. 10-197, the Hamilton Sign By-Law, respecting Election Signs, be referred to the General Issues Committee; and,
- (b) That the report back to the General Issues Committee on Report FCS22003/LS22006/PED22018 respecting Amendments to By-law No. 10-197, the Hamilton Sign By-Law, respecting Election Signs, include

greater clarity on enforcement and definition of Signs in Appendix “A” to the report, campaign materials on bus shelters, the rationale for the 100m radius from polling stations, property line locations, vehicle wraps, whether the matters fall under municipal or provincial jurisdiction, and allow for public consultation, where appropriate (for matters not legislated by the *Municipal Act*).

- (c) That the contents of Appendix “C” to Report FCS22003 / LS22006 / PED22018, remain confidential.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

**9. Request for Minor Variances at 211 and 225 John Street South and 78 Young Street (Added Item 12.1)**

**(Farr/Ferguson)**

That the Notice of Motion respecting Request for Minor Variances at 211 and 225 John Street South and 78 Young Street, be referred to the January 19, 2022 Council meeting.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

**10. Instructions - Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Rural Hamilton Official Plan Amendment Application (RHOPA-19-007) and Zoning By-law Amendment Application (ZAC-19-028) for Lands Located at 3355 Golf Club Road, Glanbrook (LS21041/PED22003) (Ward 11) (Item 14.2)**

**(Danko/Pearson)**

- (a) That the directions to staff respecting Report LS21041/PED22003 be released to the public, following approval by Council; and,

(b) That the balance of Report LS21041/PED22003 remain confidential.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

- 11. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-19-012), Zoning By-law Amendment Application (ZAC-19-044) and Draft Plan of Subdivision Application (25T-201905) for Lands Located at the North East and South East Corners of Highway #6, Flamborough (OLT-21-001345) (LS22004/PED22019) (Ward 15) (Item 14.3)**

**(Farr/Ferguson)**

- (a) That the directions to staff respecting Report LS22004 / PED22019 be released to the public, following approval by Council; and,
- (b) That the balance of Report LS22004/PED22019 remain confidential.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

**FOR INFORMATION:**

- (a) APPROVAL OF AGENDA (Item 2)**

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

**1. COMMUNICATIONS (Item 5)**

- 5.1 Nancy Hurst, Environment Hamilton, respecting Amendments to the Sign By-law for Election Signs (Item 10.3)

- 5.2 Nancy Hurst, Environment Hamilton respecting GRIDS2 (Item 10.1)
- 5.3 Scott Beedie, Urban Solutions, respecting Exemption Request for 117 Forest Avenue and 175 Catherine Street South
- 5.4 Doreen Stermann respecting Election Signs (Item 10.3)

**2. DELEGATION REQUESTS (Item 6)**

- 6.2 Delegation Requests respecting 125-129 Robert Street (Item 7.2) (For today's meeting)
  - (a) John Ariens, IBI Group
  - (b) Philip Toms, Toms + McNally Design
- 6.3 Aamir Shahzad respecting Taxi Cab By-laws (For today's meeting)
- 6.4 Mehmood Khalid respecting Taxi By-laws (For today's meeting)
- 6.5 Iftikhar Ahmed respecting Taxi By-laws (For today's meeting)
- 6.6 Delegation Requests respecting Municipal Comprehensive Review / Official Plan Review (Item 10.1) (For today's meeting)
  - (a) Lynda Lukasik, Environment Hamilton
  - (b) Don McLean
- 6.7 Aasem Sayed respecting Taxi By-laws (For today's meeting)

**3. PUBLIC HEARINGS / DELEGATIONS (Item 9)**

- 9.1 Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 281 Hamilton Drive and 356 Wilson Street West, Ancaster (PED22004) (Ward 12)
  - (a) Added Written Submission;
    - (iii) Nancy Hurst
    - (iv) Anka Cassar
    - (v) Craig Cassar
    - (vi) Herb Campbell
    - (vii) Jane and John De Zoete
- 9.2 Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 315 Robert Street and 223, 225 and 247 East Avenue North, Hamilton (PED22007) (Ward 3)

- (a) Added Written Submission:
  - (ii) Jaleen Grove and Bryan Gee
- (b) Added Virtual Delegation:
  - (i) Bruce McLeod

**4. DISCUSSION ITEMS (Item 10)**

- 10.2 GRIDS2 Implementation and Policy Workplan (City Wide)  
(PED22027) - WITHDRAWN

**5. NOTICES OF MOTIONS (Item 12)**

- 12.1 Request for Minor Variances at 211 and 225 John Street South and  
78 Young Street

**(Pearson/Farr)**

That the agenda for the January 11, 2022 meeting be approved, as amended.

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

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

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

Councillor Ferguson declared a conflict with Items 6.1, 6.3 – 6.5 and 6.7, Delegations respecting the Taxi By-law, as he is an investor in the taxi industry.

Councillor Wilson declared a conflict with Item 7.4 respecting Application for Removal of a Holding Provision by Fengate Hamilton Lands GP Inc. et al. for Lands Located at 75 James Street South, 44 Hughson Street South and 9 Jackson Street East, Hamilton (PED22024) (Ward 2), as her spouse is member of the Board of Directors for the property owner, and Item 9.2 respecting Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 315 Robert Street and 223, 225 and 247 East Avenue North, Hamilton (PED22007) (Ward 3), as her spouse has a business relationship with the property owner.

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

**(i) December 7, 2021 (Item 4.1)**

**(Partridge/Danko)**

That the Minutes of the December 7, 2021 meeting be approved, as presented.

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

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

**(d) COMMUNICATIONS (Item 5)**

**(i) Various Communications (Added Items 5.1 – 5.4)**

**(Pearson/Ferguson)**

That the following Communication Items, be received:

- 5.1 Nancy Hurst, Environment Hamilton, respecting Amendments to the Sign By-law for Election Signs (Item 10.3)
- 5.2 Nancy Hurst, Environment Hamilton respecting GRIDS2 (Item 10.1)
- 5.3 Scott Beedie, Urban Solutions, respecting Exemption Request for 117 Forest Avenue and 175 Catherine Street South
- 5.4 Doreen Stermann respecting Election Signs (Item 10.3)

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

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

**(e) DELEGATION REQUESTS (Item 6)****(i) Various Delegation Requests (Item 6.1 – 6.7)****(Farr/Pearson)**

That the following Delegation Requests be approved for today's meeting:

- 6.1 Jagtar Singh Chahal respecting the Taxi Industry
- 6.2 Delegation Requests respecting 125-129 Robert Street (To be heard before Item 7.2)
  - (a) John Ariens, IBI Group
  - (b) Philip Toms, Toms + McNally Design
- 6.3 Aamir Shahzad respecting Taxi Cab By-laws
- 6.4 Mehmood Khalid respecting Taxi By-laws
- 6.5 Iftikhar Ahmed respecting Taxi By-laws
- 6.6 Delegation Requests respecting Municipal Comprehensive Review / Official Plan Review (To be heard before Item 10.1)
  - (a) Lynda Lukasik, Environment Hamilton
  - (b) Don McLean
- 6.7 Aasem Sayed respecting Taxi By-laws

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

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



**(f) CONSENT ITEMS (Item 7)****(i) Hamilton Municipal Heritage Committee Report 21-009 (Item 7.1)****(Pearson/Ferguson)****1. Inventory and Research Working Group Meeting Notes – September 27, 2021 (Item 10.1)**

That the property located at 250 Charlton Avenue West, the Hamilton Amateur Athletic Association (HAAA) Grounds, be added to the Municipal Heritage Register.

**2. Hamilton Municipal Heritage Committee's Heritage Nominations for 2021 (Item 10.2)**

That the following Nominations for the Hamilton Municipal Heritage Committee's Heritage Recognition Awards 2021, be approved:

**(i) Heritage Property Conservation Award**

Presented to property owners who have demonstrated an outstanding contribution to the conservation, restoration and preservation of Hamilton's built heritage:

- (a) 39 Homewood Avenue, Hamilton, ON - WARD 1
- (b) 174/178 Chedoke Avenue, Hamilton, ON – WARD 1
- (c) 254 MacNab Street North, Hamilton, ON (Painted Lady) – WARD 2
- (d) 3 Fallsview Road, Greensville, ON – WARD 13
- (e) 19 Viewpoint Avenue, Hamilton, ON (Sacred Heart Parish) – WARD 7
- (f) 131- 135 Aberdeen Avenue, Hamilton, ON (Gateside) – WARD 2
- (g) 23 Undercliff Avenue, Hamilton, ON - WARD 2

**(ii) Heritage Property Developer Award**

Presented to heritage property developers who have demonstrated an outstanding contribution to the conservation, restoration and preservation of Hamilton's built heritage:

- (a) Core Urban Inc. - 53 King Street East, Hamilton, ON - Arliss Building (The Olympia Club) - WARD 2

**(iii) Adaptive Reuse of a Heritage Property Award**

Presented to property owners who have demonstrated an outstanding contribution to the conservation, restoration and

preservation of Hamilton's built heritage through adaptive reuse:

- (a) 147 Mary Street, Hamilton, ON (Good Shepherd 147 - Former nylon/clothing factory now converted to residential) – WARD 2
- (b) 141 Park Street North, Hamilton, ON (The Gasworks Cultural Centre - Former offices now converted to a cultural centre) - WARD 2
- (c) 375 Wilson Street East, Ancaster, ON (Brewers Blackbird Brewery and Kitchen - Micro-brewery addition to the former Rousseau House restaurant, also known as Panabaker House or Stone House) – WARD 12

**(iv) Cultural Heritage Landscape Award**

Recognizing the efforts of an individual or team who has demonstrated an outstanding contribution to the conservation of Hamilton's cultural heritage landscapes:

- (a) 1499 Upper Wellington St, Hamilton, ON (Young Family Cemetery) – WARD 7

**(v) Sustainable Design in Heritage Award**

Presented to property owners who have demonstrated an outstanding contribution to the conservation of Hamilton's built heritage and landscapes in a sustainable manner.

NO NOMINATIONS

**(vi) Making Heritage Accessible Award**

Presented to heritage property owners who have demonstrated an outstanding contribution to the conservation of Hamilton's heritage by making an inaccessible property accessible to all citizens of Hamilton:

- (a) 6180 White Church Road East, Mount Hope, ON (Case United Church) Project included construction of new accessible washrooms, lift in the Sanctuary and barrier-free entrance – WARD 11

**(vii) Education in Heritage Award**

Recognizing the efforts of local historians and educators who have played a significant role in educating people on the conservation of Hamilton's tangible and intangible heritage:

- (a) Lance Darren Cole, Patrick Douthart, Nathan McCrory (Production of various videos describing heritage properties for Doors Open Hamilton)
- (b) Memory Lane - Downtown BIA QR Code Project (The Downtown Hamilton Business Improvement Area) – WARD 2
- (c) Leanne Pluthero (Local Historian with a focus on Auchmar and Century Manor)

**(viii) The Art of Heritage Award [NEW CATEGORY]**

Recognizing the efforts of local artists who have played a significant role in educating people on the conservation of Hamilton's tangible and intangible heritage:

- (a) Danuta Niton, Visual Artist, Graphic Designer, Muralist and Arts Educator (Daughter Kasia Niton helped with the Book) – My Walks of Art(book)
- (b) Elizabeth Sue Hanna, Visual Artist (3D heritage mixed media)
- (c) The Power of Design Exhibit (A collaboration of Photographer Francis Fougere, Architect Chris Harrison and Architectural Historian Megan Hobson)

**(ix) Heritage Group, Society or Specialty Team Award**

Recognizing the efforts of a heritage group, society or specialty team who has demonstrated an outstanding contribution to the conservation of Hamilton's heritage:

- (a) Hamilton Police Historical Society – WARD 12
- (b) Ancaster Village Heritage Community – WARD 12
- (c) Flamborough Archives and Heritage Society – WARD 13

**(x) Heritage Streetscape Revitalization Award [NEW CATEGORY]**

Recognizing the efforts of a property owner who has demonstrated an outstanding contribution to the enhancement of Hamilton's heritage streetscapes through conservation and revitalization:

- (a) 302 James Street North, Hamilton, ON – WARD 2
- (b) 431- 435 Barton Street East, Hamilton, ON – WARD 2

**3. Hamilton Municipal Heritage Committee Year in Review 2021 (PED21179) (City Wide) (Item 10.3)**

That Report PED21179 respecting the Hamilton Municipal Heritage Committee Year in Review 2021, be received.

**(Pearson/Ferguson)**

That Item 2 of the Hamilton Municipal Heritage Committee Report 21-009, respecting Hamilton Municipal Heritage Committee's Heritage Nominations for 2021 (Item 10.2), sub-section (iii), be **amended** by deleting (c), as follows:

**(iii) Adaptive Reuse of a Heritage Property Award**

Presented to property owners who have demonstrated an outstanding contribution to the conservation, restoration and preservation of Hamilton's built heritage through adaptive reuse:

- (a) 147 Mary Street, Hamilton, ON (Good Shepherd 147 - Former nylon/clothing factory now converted to residential) – WARD 2
- (b) 141 Park Street North, Hamilton, ON (The Gasworks Cultural Centre - Former offices now converted to a cultural centre) - WARD 2
- ~~(c) 375 Wilson Street East, Ancaster, ON (Brewers Blackbird Brewery and Kitchen – Micro-brewery addition to the former Rousseau House restaurant, also known as Panabaker House or Stone House) – WARD 12~~

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

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

For disposition of this matter, refer to Item 1.

**(g) PUBLIC HEARINGS / DELEGATIONS (Item 9)**

**(i) Delegation Requests respecting 125 and 129 Robert Street (Item 7.2)  
(Added Item 9.3)**

The following Delegations addressed Committee respecting 125 and 129 Robert Street (Item 7.2):

- (a) John Ariens, IBI Group
- (b) Philip Toms, Tom + McNally Design

**(Farr/Partridge)**

That the following Delegations, be received:

- (a) John Ariens, IBI Group
- (b) Philip Toms, Tom + McNally Design

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

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

For disposition of this matter, refer to Item 2.

In accordance with the *Planning Act*, Acting Chair Wilson 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*, Acting Chair Wilson 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 Development applications before the Committee today, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Land Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**(ii) Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 281 Hamilton Drive and 356 Wilson Street West, Ancaster (PED22004) (Ward 12) (Item 9.1)**

Daniel Barnett, Planner 2, addressed the Committee with the aid of a PowerPoint presentation.

**(Ferguson/Pearson)**

That the staff presentation be received.

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

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

Steve Fraser with AJ Clarke & Associates, was in attendance and indicated support for the staff report.

**(Ferguson/Farr)**

That the delegation from Steve Fraser with AJ Clarke & Associates, be received.

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

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

**(Ferguson/Partridge)**

That the following written submissions (Item 9.1(a)), be received:

- (i) Kathleen and Andrew Sackett, and expressed Concerns with the application.
- (ii) Valerie Chevannes and Leonard Reddick, in Opposition to the application.
- (iii) Nancy Hurst, in Support of the application.
- (iv) Anka Cassar, in Support of the application.
- (v) Craig Cassar, in Support of the application.

- (vi) Herb Campbell, in Opposition to the application.
- (vii) Jane and John De Zoete in Opposition to the application.

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

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

**(Ferguson/Pearson)**

That the public meeting be closed.

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

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

**(Ferguson/Pearson)**

- (a) That staff be directed to ensure the Ward Councillor is invited to attend the Site Plan approval process for this application; and,
- (b) That staff be directed to ensure that construction vehicles are prohibited from parking on Hamilton Drive, through the Construction Management Plan in the Site Plan process for this application.

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

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

**(Ferguson/Pearson)**

- (a) That Official Plan Amendment Application UHOPA-20-009 by A.J. Clarke and Associates c/o Stephen Fraser, on behalf of RUDY &

Associates c/o Michelle Cutts, Owner, to re-designate the lands from the “Low Density Residential 1” to “Low Density Residential 3” designation on Map B.2.8-1 Land Use Plan in the Ancaster Wilson Street Secondary Plan in the Urban Hamilton Official Plan, to permit ten townhouse dwelling units on a private driveway, for lands located at 281 Hamilton Drive and 356 Wilson Street West, as shown on Appendix “A” attached to Report PED22004, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22004, be adopted by City Council;
  - (ii) That the proposed Official Plan 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-20-014 by A.J. Clarke and Associates c/o Stephen Fraser, on behalf of RUDY & Associates c/o Michelle Cutts, Owner, for a change in zoning from the Deferred Development “D” Zone and the Urban Commercial “C4-288” Zone to a site specific Residential Multiple “RM2” (RM2-713) Zone, Modified, in the Town of Ancaster Zoning By-law No. 87-57, to permit ten townhouse dwelling units accessed from a private driveway, for lands located at 281 Hamilton Drive and 356 Wilson Street West, as shown on Appendix “A” attached to Report PED22004, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” attached to Report PED22004, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (i) That the amending By-law attached as Appendix “C” attached to Report PED22004, be added to District Map No. 1-B of Zoning By-law No. 87-57 as “RM2-713”;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the Urban Hamilton Official Plan upon the approval of Official Plan Amendment No. \_\_\_\_\_.

**(Ferguson/Pearson)**

That the recommendations in Report PED22004 be **amended** by adding the following sub-section (c):



- (c) ***That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

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

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

For disposition of this matter, refer to Item 5.

Councillor Wilson relinquished the Chair to Councillor Danko.

- (iii) **Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 315 Robert Street and 223, 225 and 247 East Avenue North, Hamilton (PED22007) (Ward 3) (Item 9.2)**

**(Partridge/Pearson)**

That the staff presentation be waived.

**Result: Motion CARRIED by a vote of 4 to 0, as follows:**

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

Katelyn Gillis and Terri Johns with T. Johns Consulting, were in attendance and indicated support for the staff report.

**(Farr/Pearson)**

That the delegation from Katelyn Gillis and Terri Johns with T. Johns Consulting, be received.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
 YES - Ward 8 Councillor John-Paul Danko

YES - Ward 2 Councillor Jason Farr  
 YES - Ward 15 Councillor Judi Partridge  
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson  
 NOT PRESENT - Ward 11 Councillor Brenda Johnson  
 YES - Ward 10 Councillor Maria Pearson

**(Farr/Pearson)**

That the following written submissions (Item 9.2(a)), be received:

- (i) Jan Hall and Bruce McLeod, in Opposition to the application.
- (ii) Jaleen Grove and Bryan Gee, in Opposition to the application.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

**Registered Delegation (Item 9.2(b)):**

- (i) Bruce McLeod addressed the Committee in Opposition to the proposal.

**(Pearson/Farr)**

That the delegation be received.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

**(Farr/Pearson)**

That the public meeting be closed.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

CONFLICT - Ward 1 Councillor Maureen Wilson  
 YES - Ward 8 Councillor John-Paul Danko

YES - Ward 2 Councillor Jason Farr  
YES - Ward 15 Councillor Judi Partridge  
YES - Ward 12 Councillor Lloyd Ferguson  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson

**(Farr/Pearson)**

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-21-013, by Indwell Community Homes, Owner, to add an Urban Site Specific to Volume 3, Chapter C and amend Map 2a – Urban Site Specific Key Map (Lower City) to permit a multiple dwelling with a maximum density of 284 units per hectare, for the lands located at 315 Robert Street and 219, 225 and 247 East Avenue North, as shown on Appendix “A” attached to Report PED22007, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22007, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended;
- (b) That Zoning By-law Amendment Application ZAC-21-028, Indwell Community Homes, Owner, for a change in zoning from the “E/S-881”, “E/S-881a” (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified and “D/S-881”, “D/S-881a” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified to the “E/S-1812” (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” of Appendix “B” attached to Report PED22007 to permit a three storey, 31 unit multiple dwelling, for the lands located at 315 Robert Street and a portion of the lands located at 225 East Avenue, as shown on Appendix “A” attached to Report PED22007, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED22007, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended and will comply with the Urban Hamilton

Official Plan upon finalization of the Official Plan Amendment No. XX.

**(Farr/Pearson)**

That the recommendations in Report PED22007 be **amended** by adding the following sub-section (c):

- (c) *That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

**Result: Amendment CARRIED by a vote of 5 to 0, as follows:**

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

For disposition of this matter, refer to Item 6.

Councillor Wilson assumed the Chair.

**(iv) Various Delegations respecting the Taxi By-law (Added Items 9.4 – 9.8)**

The following Delegations addressed the Committee respecting the Taxi By-law and concerns with the taxi industry:

- 9.4 Jagtar Singh Chahal
- 9.5 Aamir Shahzad
- 9.6 Mehmood Khalid
- 9.7 Iftikhar Ahmed
- 9.8 Aasem Sayed

**(Pearson/Danko)**

That the following Delegations respecting the Taxi By-law and concerns with the taxi industry, be received:

- 9.4 Jagtar Singh Chahal
- 9.5 Aamir Shahzad
- 9.6 Mehmood Khalid
- 9.7 Iftikhar Ahmed
- 9.8 Aasem Sayed

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

**(Pearson/Farr)**

That staff be directed to report back to the Planning Committee respecting the Delegations' concerns with the taxi industry and how the City can address the issues, including an overview of fees, an explanation of the surcharge fee and how it is split, insurance costs, the meter drop, the accessible incentive fee, and Section 52 of the Taxi By-law regarding the discount for the broker and driver.

**Result: Motion CARRIED by a vote of 4 to 1, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
 NO - Ward 8 Councillor John-Paul Danko  
 YES - Ward 2 Councillor Jason Farr  
 YES - Ward 15 Councillor Judi Partridge  
 CONFLICT - Ward 12 Councillor Lloyd Ferguson  
 NOT PRESENT - Ward 11 Councillor Brenda Johnson  
 YES - Ward 10 Councillor Maria Pearson

**(v) Delegations respecting Municipal Comprehensive Review / Official Plan Review (Item 10.1) (Added Item 9.9)**

The following Delegations addressed the Committee respecting the Municipal Comprehensive Review / Official Plan Review:

9.9(a) Lynda Lukasik, Environment Hamilton  
 9.9(b) Don McLean

**(Farr/Danko)**

That the following Delegations respecting the Municipal Comprehensive Review / Official Plan Review, be received:

9.9(a) Lynda Lukasik, Environment Hamilton  
 9.9(b) Don McLean

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 2 Councillor Jason Farr  
 YES - Ward 15 Councillor Judi Partridge  
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson  
 NOT PRESENT - Ward 11 Councillor Brenda Johnson  
 YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 7.

**(Partridge/Farr)**

That the Committee recess from 12:10 p.m. – 12:25 p.m.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

**(h) PRIVATE AND CONFIDENTIAL (Item 14)**

Committee determined they did not need to go into Closed Session for the following items.

**(i) Closed Session Minutes – December 7, 2021 (Item 14.1)**

**(Pearson/Farr)**

- (a) That the Closed Session Minutes dated December 7, 2021, be approved as presented; and,
- (b) That the Closed Session Minutes dated December 7, 2021, remain private and confidential.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

- (ii) **Instructions - Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Rural Hamilton Official Plan Amendment Application (RHOPA-19-007) and Zoning By-law Amendment Application (ZAC-19-028) for Lands Located at 3355 Golf Club Road, Glanbrook (LS21041/PED22003) (Ward 11) (Item 14.2)**

For disposition of this matter, refer to Item 10.

- (iii) **Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-19-012), Zoning By-law Amendment Application (ZAC-19-044) and Draft Plan of Subdivision Application (25T-201905) for Lands Located at the North East and South East Corners of Highway #6, Flamborough (OLT-21-001345) (LS22004/PED22019) (Ward 15) (Item 14.3)**

For disposition of this matter, refer to Item 11.

(i) **ADJOURNMENT (Item 15)**

**(Pearson/Ferguson)**

That there being no further business, the Planning Committee be adjourned at 1:52 p.m.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

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

\_\_\_\_\_  
 Councillor M. Wilson  
 Acting Chair, Planning Committee

\_\_\_\_\_  
 Lisa Kelsey  
 Legislative Coordinator



January 7, 2022

323-19

**Via Email**

Members of Planning Committee & Council  
c/o  
Lisa Kelsey (Chamberlain), Dipl.M.A.  
Legislative Coordinator

City of Hamilton  
Office of the City Clerk  
71 Main Street West, 1<sup>st</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Members of Planning Committee & Council,

**RE: REQUEST FOR A MOTION – JANUARY 11, 2022 PLANNING COMMITTEE  
ZONING BY-LAW AMENDMENT APPLICATION – ZAC-16-051  
3033-3063 BINBROOK ROAD, HAMILTON**

---

Binbrook Heritage Developments Inc. are the owners of the lands municipally known as 3033-3063 Binbrook Road, Hamilton. On May 14, 2021 the site-specific Zoning By-law 21-087 was passed by the Local Planning Appeals Tribunal to approve the concept plan for a 6-storey mixed use development containing 111 residential dwelling units, ground floor commercial uses and 131 parking spaces located on the lands municipally known as 3033-3063 Binbrook Road, Hamilton.

At this time, the owner proposes to increase the height of the proposed mixed use building to 8-storeys, adding 46 (157 total) additional dwelling units. This also reduces the proposed residential parking ratio to 0.9 spaces per unit and removes the parking spaces dedicated to commercial uses. These changes to the Concept are in response to Council's direction to intensify within the existing Urban Boundary. Hamilton City Council voted 13-3 in support of a "No Urban Boundary Expansion" scenario at the November 19, 2021 General Issues Committee. In doing so the residential intensification is to be accommodated for within the existing Urban Boundary. The revised concept plan with these changes can be found in Appendix A.

Subsection 45(1.3) of the Planning Act stipulates that no person shall apply for a minor variance from the provisions of the by-law in respect of the land before the second anniversary of the day on which the by-law was amended. In this case, the corresponding date would be May 14, 2021. However, Subsection 45(1.4) grants exception to Subsection 45(1.3) if Council or the delegated authority has declared by resolution that such an application is permitted.




In order to pursue the development of the revised concept plan, an exemption from Subsection 45(1.3) of the *Planning Act* is required from Council. In keeping with Subsection 45(1.4) of the *Planning Act* on behalf of Representative Holdings Inc. we respectfully request council pas a motion allowing the owner to file a variance within 2-years of the passing of Zoning By-law 21-087 despite Subsection 45(1.3).

Regards,  
**Binbrock Heritage Developments Inc.**



Sergio Manchia  
*Principal*



David Horwood  
*Principal*

cc: Mr. Chairman John-Paul Danko, Planning Committee, City of Hamilton  
Mr. Steve Robichaud, Chief Planner, City of Hamilton  
Mr. Charlie Toman, Senior Project Manager, City of Hamilton

**From:** Sherry Hayes

**Sent:** Sunday, January 30, 2022 8:08 PM

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

**Subject:** Planning Committee Meeting - Item: 7.3 Regarding: Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue, Stoney Creek (PED19115(a) Ward 10)

RE: City of Hamilton Planning Committee Meeting Agenda Meeting #22-002

February 1, 2022, 9:30 a.m.

**Item: 7.3**

Regarding: Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue, Stoney Creek (PED19115(a) Ward 10)

Please see our letter(s) below for submission to the meeting agenda as noted above and below. Thank you.

-----

TO: Members of the Planning Committee, Planning Staff, Councillors and Mayor

RE: City of Hamilton Planning Committee Meeting Agenda, Meeting #22-002

RE: Item: 7.3

Regarding: Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue, Stoney Creek (PED19115(a) Ward 10)

To Elected Officials and Staff:

In regard to this item, please see our notes below:

Firstly, we presume that our letter submitted December 6, 2021 (as well as all other community members letters) sent to the December 9th Committee of Adjustments Meeting Regarding 310 Frances Avenue, Stoney Creek Variance Application (Ward 10) are also within this agenda for review by the planning committee. Should these letters not have been included, we have added ours to the bottom of this letter.

Further to that, please note our continued opposition to the request for variances noted in the agenda information:

1. Dwelling Units: Zoning By-law 3692-92 requires apartment dwelling units to be located above commercial uses. This is clearly stipulated. Commercial space should be considered for use by all of the residents in the community and provide services that are of value to everyone and not just 310 residents. Particularly so, as there are no retail stores or services in the entire area, which forces all area residents to drive distances for even basic items or services. Ground level accessory apartment uses provide no value to the community in regard to commercial/retail and/or services such as a general store, postal services, dentist, doctors, etc. For these reasons and more, the stated By-law should be maintained and therefore, this variance request should be denied.

2. Amenity Space: As the size, scope and population of these proposed towers is extensive and as there are apparently no further areas designated for community recreational activities, there will be an immense strain on this limited and isolated community area for such an increased use of the existing public spaces. The activity level in public spaces has increased dramatically with the previous developments that were built in just recent years. As a result of this strain, the amenity space required within this property should be maintained and therefore the variance request should be denied.

3. Landscaped Open Space: Zoning By-law 3692-92 requires a minimum of 50% of the Property as landscaped open space. Due to the massive footprint and height of this proposal, there is a potential for dangerous environmental impacts such as area flooding. As well, there is the potential for wind tunnels and extensive heat generated by tall glass buildings. Providing extensive green and landscaped spaces that can house large ground level gardens and sodded lawn areas will assist with groundwater issues, particularly with the increase of storm and weather events. A large volume of full sized trees (as opposed to only ornamental types and small shrubs) also helps to mitigate groundwater, excessive heat and the carbon footprint that is associated with massive buildings and vehicles within small footprints. Keeping the 50% green space will also provide the appropriate transition within the existing properties. Given multiple concerns, the required minimum 50% percent of landscape open areas should be maintained and therefore, this variance should be denied.

4. Parking: The zoning By-law requires parking at a rate of 1.5 spaces per dwelling unit. This proposed development sits on two dead end streets with minimal neighbourhood parking. Should the parking requirement be reduced to 1.25 spaces and with the excessive amount of units proposed on this small lot, the overflow of vehicles onto the street for the necessary parking requirements will overtax the space available for the existing neighbourhood, especially given the recent approval of the adjacent high-rise building and its potential overflow of parking onto the local streets. It is common practice for families or couples residing in one bedroom units to maintain two vehicles, particularly for work and general use purposes. As there is no public transportation in this area, multiple vehicles are a normal occurrence. By reducing the requirements by 25 percent, there is potential for hundreds of vehicles to be 'dumped' onto the streets. As a result, the required zoning for 1.5 spaces per unit should be maintained and therefore this variance should be denied.

For the reasons noted above and that are within many letters provided by concerned community members and as required by the current Zoning By-law, all of the variance requests, including those not stated within this letter, should continue to be denied in accordance with the Committee of Adjustments decision.

As well, beyond the variance requests, this development proposal, even with its latest revisions, clearly does not conform to previous city staff concerns of the "transition of scale to the surrounding lands". We ask that this committee seriously weigh the clearly stated concerns of the Committee of Adjustments, the current By-laws and the overwhelming concerns from current citizens/residents of this affected area and come to the same conclusion that all variance requests be permanently denied.

Thank you,  
Sherry Hayes & Dennis Facia

Green Road, Stoney Creek, ON

-----

Please note below our previous letter of opposition sent to the Committee of Adjustments regarding opposition to the variances request:

Dated: Mon, 6 Dec 2021, 14:14

Dear Committee of Adjustments Members,

Please include our comments in the agenda of the December 9<sup>th</sup> Committee of Adjustments Meeting  
Regarding 310 Frances Avenue, Stoney Creek Variance Application (Ward 10)

Please note and consider our comments below:

The variances that have been requested for this property and the proposed development are too significant to be considered minor in any form. It will surely impact every property/resident in this isolated residential area and have the potential for devastating consequences to the entire community and beyond.

The extreme density of these triple towers adds substantial burden to this small area and is clearly out of balance with the overall Residential Intensification Targets. As well, application as submitted does not appear to meet the general intent and purpose of the Zoning By-Law.

In Reference to:

#### **Variance 1 – Accessory and Communal Areas**

Based on the current by-law, these must be located above commercial. With this variance request, it no longer complies with the by-law therefore it cannot be considered as minor. There should be no exception for this request.

#### **Variances 2 and 3 – Amenity Space Reductions**

As the amenity space requirement was previously requested to be varied and subsequently denied (2010), there should be no approval for that variance at this time. One must presume that it was designed then to control density, given the lack of community amenities.

While high-density buildings have continued to fill the area between Green and Millen Roads, the addition of public/park space does not appear to have increased to accommodate the additional population of this isolated area. Given this, these variance requests should not be considered minor and therefore should be denied.

#### **Variance 4 – A reduction to Landscaped Open Space to 36% of Lot Area from 50%**

The removal of green space on such a massive concrete footprint cannot be considered in any form as minor in nature.

In comparison to the two existing 18-storey high-rises, the minimal percentage of overall green space proposed for this site pales in comparison to these buildings. It also shows little correlation to the original proposal for the area and this lot with its two like-minded buildings and extensive green spaces.

The proposed addition of small rain gardens cannot compensate for vast, open green spaces that provide more percolation during rainfalls or sudden storms.

As well, within the variance application, it is difficult to determine whether patios and sidewalks are being requested as part of the green space. If so, even when it may be suggested that 'permeable' surfaces could be incorporated, this will likely make little difference to disperse surface water as it surely cannot accommodate drainage, especially during heavier events. Permeable surfaces cannot substitute for true green surfaces such as spacious sodded lawn areas and large gardens.

#### **Variance 5 - Reduced Landscaped Strip**

This is yet again another serious reduction in green space and one that should not be acceptable. This appears to push buildings closer to the street and adds more concrete and pavement surfaces, thus overwhelming the adjacent areas while providing little to no space for the development of mature trees and their important role in carbon and heat reduction, water mitigation and overall neighbourhood aesthetic value. It also becomes completely disproportionate to the existing buildings.

With the seriousness of these potential issues, this variance request should not be considered as minor and therefore not accepted or approved.

#### **Variance 7 - Reduced Parking Requirement**

Given the size, scope, footprint and density of these massive towers, along with the lack of public transit in this area, this variance cannot be considered minor in nature.

The amount of additional parking spaces required and therefore dumped onto the surrounding streets will surely be beyond the capacity for the adjacent and surrounding streets. This small area with its recent residential building growth strains with the overflow of vehicles that exceed current spaces available.

This triple building proposal sits on two dead end streets with limited options for traffic flow and street parking. To allow the addition of hundreds of vehicles for street parking will exacerbate an already congested area.

Further, to reduce the 2010 approved 1.5 space per dwelling to 1.25 on a proposal of such magnitude and high-density is beyond a minor variance therefore this request should not be approved.

#### **In summary:**

This triple tower high-rise proposal is a high-density development and beyond the appropriate balance of lot size to building/hard surface footprint/ratio.

The variance requests appear to far exceed anything that could be considered minor as has been detailed in our above notes.

Further, with all of its current extensive deviations from the style, height, density and footprint, in comparison to all adjacent and nearby residential structures, it is beyond over-development and incomprehensible for this small area.

We implore this committee to deny any approval of this application and all variance requests.

Respectfully submitted for your review,  
Sherry Hayes & Dennis Facia

Stoney Creek Residents

From: Michelle Blanchette  
Sent: Monday, January 31, 2022 11:43 AM  
To: [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
Subject: Re: proposed build on Frances Drive, Stoney Creek

We have been residents of this area for 15 years & are well acquainted with the outrageous traffic congestion to get off our street - Drakes Dr - in rush hour, as well as the lack of public transit & sidewalks.

To pretend that these monstrous buildings with insufficient green space & laughably lacking parking won't have an extremely negative impact on all of the residents of the area is ridiculous.

The environmental impact alone should make this build unacceptable, let alone how it affects the people who will have to deal with it for decades to come.

Please see beyond potential profit & take responsible action.

Respectfully,  
M. Blanchette

**From:** COLLEEN SAUNDERS

**Sent:** Monday, January 31, 2022 12:02 PM

**To:** Kelsey, Lisa <Lisa.Kelsey@hamilton.ca>

**Subject:** Planning Meeting Feb 1, 2022: Agenda Item 7.3: Site Plan Control Application for Lands Located at 310 Frances Ave. Stoney Creek

To Whom It May Concern:

I am writing with regard to the variances requested by New Horizon Development Group for the proposed mega development at 310 Frances Ave in Stoney Creek. I oppose these proposed variances. I endorse the written submissions from Lakewood Beach Community Council.

I am very aware and suspect of the decisions that were made in the past regarding the unlimited height and density of this development. A development of this size should never have been approved for this cul-de-sac in our well established lakeside area of Stoney Creek. Shame on those involved in such a development, including our City Council!

Colleen Saunders





# Hamilton

## **HAMILTON MUNICIPAL HERITAGE COMMITTEE**

**Report 22-001**

**9:30 a.m.**

**Friday, January 21, 2022**

**Due to COVID-19 and the closure of City Hall, this meeting was held virtually**

---

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

**Absent with Regrets:** Councillor M. Pearson – City Business

---

### **THE FOLLOWING ITEMS WERE REFERRED TO THE PLANNING COMMITTEE FOR CONSIDERATION:**

#### **1. APPOINTMENT OF CHAIR AND VICE-CHAIR (Item 1)**

- (a) That A. Denham-Robinson be appointed Chair of the Hamilton Municipal Heritage Committee for 2022; and
- (b) That C. Dimitry be appointed Vice-Chair of the Hamilton Municipal Heritage Committee for 2022.

#### **2. Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3) (Added Item 8.1)**

That Heritage Permit Application HP2021-055 attached hereto as Appendix “A” to report 22-001, respecting a Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton be DENIED

**FOR INFORMATION:**

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

The Clerk advised the Committee of the following changes:

**7. CONSENT ITEMS**

7.1(c) Heritage Permit Application HP2021-057: Installation of Eavestrough, Masonry Repointing and Reinforcing Exterior Wall at 114-116 MacNab Street South (Ward 2) (By-law No. 90-144) (MacNab-Charles HCD)

7.1(d) Heritage Permit Application HP2021-056: Proposed Implementation of Repairs to Second Storey Enclosed Balcony and Exterior Cladding at 118 St. Clair Avenue, Hamilton (Ward 3) (By-law No. 86-125)

7.3 Response from the Chair of the Hamilton Municipal Heritage Committee to the Rev. I. Sloan, New Vision Church, respecting St. Giles Church, Hamilton (Deferred from the December 14, 2021 meeting)

**8. STAFF PRESENTATIONS**

8.1 Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3)

The Agenda for the January 21, 2022 meeting of the 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) December 14, 2021 (as amended by Council on January 19, 2022) (Item 4.1)**

The Minutes of the December 14, 2021 meeting of the Hamilton Municipal Heritage Committee were approved, as amended.

**(d) CONSENT ITEMS (Item 7)**

**(i) Heritage Permit Applications - Delegated Approvals (Item 7.1)**

The following items were received:

- (a) Heritage Permit Application HP2021-052: Proposed Alteration of Replacement of Cedar Shake Roof with Asphalt Shingles at 123 Mill Street North, Waterdown (Ward 15) (By-law No. 96-34-H) (Item 7.1(a))
- (b) Heritage Permit Application HP2021-059: Repairs to Solarium at 15 Inglewood Drive, Hamilton (Ward 2) (By-law No. 17-224) (Item 7.1(b))
- (c) Heritage Permit Application HP2021-057: Installation of Eavestrough, Masonry Repointing and Reinforcing Exterior Wall at 114-116 MacNab Street South (Ward 2) (By-law No. 90-144) (MacNab-Charles HCD) (Added Item 7.1(c))
- (d) Heritage Permit Application HP2021-056: Proposed Implementation of Repairs to Second Storey Enclosed Balcony and Exterior Cladding at 118 St. Clair Avenue, Hamilton (Ward 3) (By-law No. 86-125) (Added Item 7.1(d))

**(ii) Inventory and Research Working Group Meeting Notes - July 20, 2020 (Item 7.2)**

The Inventory and Research Working Group Meeting Notes of July 20, 2020, were received.

A. Denham-Robinson relinquished the Chair to introduce the following:

**(iii) Response from the Chair of the Hamilton Municipal Heritage Committee to the Rev. I. Sloan, New Vision Church, respecting St. Giles Church, Hamilton (Added Item 7.3)**

The Response from the Chair of the Hamilton Municipal Heritage Committee to the Rev. I. Sloan, New Vision Church, respecting St. Giles Church, Hamilton, was deferred to the next meeting of the Hamilton Municipal Heritage Committee.

A. Denham-Robinson assumed the Chair.

**(e) STAFF PRESENTATIONS (Item 8)**

- (i) Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3) (Added Item 8.1)**

Chloe Richer, Cultural Heritage Planner, addressed Committee with an presentation respecting Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3).

The Presentation respecting Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3), was received.

That Heritage Permit Application HP2021-055, to permit new cladding (Indiana Split Veneer Limestone) installed without a Heritage Permit along the front of the garage structure, for the lands located at 124 St. Clair Avenue, be approved.

The above motion was DEFEATED on the following Standing Recorded Vote.

Yeas:	C. Dimitry, D. Beland and T. Ritchie
Total:	3
Nays:	J. Brown, G. Carroll, K. Burke, L. Lunsted, R. McKee and A. Denham-Robinson
Total:	6
Absent:	M. Pearson
Total:	1

For further disposition, refer to Item 2.

**(f) DELEGATIONS (Item 9)**

**(i) Paula Kilburn, Advisory Committee for Persons with Disabilities respecting the Integration of Accessibility in Heritage Properties (Approved at the September 24, 2021 meeting) (Item 9.1)**

Paula Kilburn, Advisory Committee for Persons with Disabilities addressed the Committee respecting the Integration of Accessibility in Heritage Properties.

The Delegation from Paula Kilburn, Advisory Committee for Persons with Disabilities respecting the Integration of Accessibility in Heritage Properties, was received.

Staff were directed to report back to a future meeting of the Hamilton Municipal Heritage Committee respecting heritage issues and accessibility.

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

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

The property known as Knox Presbyterian Church, 23 Melville Street, Dundas, was added to the Buildings and Landscapes of Interest List (YELLOW).

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
- (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 current permit is set to expire in December 2022.

- (viii) Long and Bisby Building, 828 Sanatorium Road (D) – G. Carroll
- (ix) 120 Park Street, North, Hamilton (R) – R. McKee  
Planning Committee – February 1, 2022

- (x) 398 Wilson Street East, Ancaster (D) – C. Dimitry
- (xi) Lampman House, 1021 Garner Road East, Ancaster (D) – C. Dimitry
- (xii) Cathedral Boys School, 378 Main Street East, Hamilton (R) – T. Ritchie
- (xiii) Firth Brothers Building, 127 Hughson Street North, Hamilton (NOID) – T. Ritchie
- (xiv) Auchmar Gate House, Claremont Lodge 71 Claremont Drive (R) – R. McKee
- (xv) Former Hanrahan Hotel (former) 80 to 92 Barton Street East (I)– T. Ritchie
- (xvi) Television City, 163 Jackson Street West (D) – J. Brown

A new permit application has been presented.

- (xvii) 1932 Wing of the Former Mount Hamilton Hospital, 711 Concession Street (R) – G. Carroll
- (xviii) 215 King Street West, Dundas (I) – K. Burke
- (xix) 679 Main Street East, and 85 Holton Street South, Hamilton (Former St. Giles Church) – D. Beland
- (xx) 219 King Street West, Dundas – K. Burke
- (xxi) 216 Hatt Street, Dundas – K. Burke
- (xxii) 537 King Street East, Hamilton – G. Carroll
- (xxiii) Beach Canal Lighthouse and Cottage (D) – 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) – C. Dimitry
- (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) Dunington-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 6th Concession East, Flamborough (I) - L. Lunsted
- (xiii) Cannon Knitting Mill, 134 Cannon Street East, Hamilton (R) – T. Ritchie
- (xiv) 1 Main Street West, Hamilton (D) – W. Rosart
- (xv) 54 - 56 Hess Street South, Hamilton (R) – J. Brown
- (xvi) 384 Barton Street East, Hamilton – T. Ritchie
- (xvii) 311 Rymal Road East, Hamilton – C. Dimitry
- (xviii) 42 Dartnell Road, Hamilton (Rymal Road Stations Silos) – G. Carroll
- (xix) Knox Presbyterian Church, 23 Melville Street, Dundas – K. Burke

**(c) Heritage Properties Update (GREEN):**

**(Green = Properties whose status is stable)**

- (i) Auchmar, 88 Fennell Avenue West, Hamilton (D) – R. McKee
- (ii) Former Post Office, 104 King Street West, Dundas (R) – K. Burke
- (iii) Rastrick House, 46 Forest Avenue, Hamilton – G. Carroll
- (iv) 125 King Street East, Hamilton (R) – T. Ritchie

**(d) Heritage Properties Update (black):**

**(Black = Properties that HMHC have no control over and may be demolished)**

- (i) 442, 450 and 452 Wilson Street East, Ancaster – C. Dimitry

**(h) ADJOURNMENT (Item 15)**

There being no further business, the Hamilton Municipal Heritage Committee adjourned at 11:09 a.m.

Respectfully submitted,

Alissa Denham-Robinson, Chair  
Hamilton Municipal Heritage Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk

46 Jackson Street East  
Hamilton, ON, L8N 1L1  
(905) 524-1523

## Heritage Permit Application

EFI Global File No.: 9496 6034 7028

November 11, 2021

Original Building Permit: 20 197441 00 R9: Impact Damage – Accessory Structure

Peter McMillan

Loss Location: 124 St. Clair Avenue, Hamilton, ON

Date of Loss: October 8, 2020

Claim No.: 4033598100

Prepared For:

City of Hamilton

71 Main Street West

Hamilton, ON, L8P 4Y5

Attention: Amber Knowles

Email: [Amber.knowles@hamilton.ca](mailto:Amber.knowles@hamilton.ca)

cc. [Adam.mancini@intact.net](mailto:Adam.mancini@intact.net); [3033125748@cc.intact.net](mailto:3033125748@cc.intact.net)



## INTRODUCTION:

EFI Global Canada (EFI) was retained by Intact Insurance to assist with a heritage permit for an accessory structure located on the subject address.

We attended site on October 29, 2021 for the purpose of conducting our inspection and reviewing restoration. For the purpose of directional reference, the front of the building is presumed to face due east, toward St. Clair Avenue. We have included an appendix illustrating photographs from our assessment. We have included the original building permit drawings which illustrate a site plan of the property.

## BACKGROUND:

The incident building was a detached, single storey accessory building (Photograph 1). The building was constructed using dimensionally framed lumber.

The subject structure was damaged by a tree impact occurrence in October of 2020. EFI global was retained to provide drawings and apply for permit to repair the structure. A permit (Permit No. 20 197441 00 R9) was issued by the City of Hamilton on January 29, 2021. Original repairs for the structure did not include removal and replacement of the front brick masonry.

It was reported to EFI Global in August of 2021 that repairs to the building included replacement of brick masonry along the front face of the building.

The following document serves as a retroactive permit application to accept repairs of the front façade of the accessory structure within the subject address.

## INSPECTION:

### October 20, 2020

The front façade of the accessory structure consisted of a brown brick installed between door openings. This brick was a type of "Meridian Brick - Heritage Brown" and approximately 36 square feet of brick was installed along the front façade. Images of the original brick have been appended for review (photographs 1-2). At the time of inspection, the structure was damaged. Review of the brick consistency, color and texture provided evidence the brick is not original to the structure / property. The observed brick was a

popular type of brick in the 1970s – 1980s. The brick did not match the brick currently on the primary residential structure, which appears to be original to the building (photograph 3). Further, the method of installation of the accessory structure’s original brick is not consistent with historical construction since the brick is installed in a “veneer” type application with the brick being tied back to the superstructure. While not confirmed by EFI Global, it was reported by the installing contractor, ProBert Construction Inc. that the brick was overhanging the supporting foundation by a substantial amount of brick thickness.

October 29, 2021

The new front façade brick was installed using “Indiana Split Veneer Limestone”. The veneer was approximately 1” thick and was installed using wire mesh lathe backing. Images of the new front façade have been provided (photographs 4-5). As confirmed by the installing contractor, ProBert Construction Inc., the reasoning for choosing the installed materials was that the material was thinner than the original and could be better supported by the foundation. Further, the new material closely matched the existing primary structure’s foundation walls. Additional fascia installation, trim and painting was also performed for the building.

It is unclear why a heritage permit was not applied for prior to conducting the work along the front of the structure. However, it is suspected that the installing contractor is not located in the Hamilton region and would not be aware of any heritage permit requirements. EFI Global was not aware that construction of new materials along the front face of the building occurred until after installation. Further clarification would need to be made by the homeowner and the installing contractor with respect to not obtaining heritage approval.

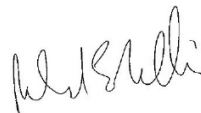
**CLOSURE:**

We trust that this letter report meets your immediate requirements with respect to heritage application. Should you require more information, please do not hesitate to contact us.

Respectfully submitted,



Ryan Sneek  
Professional Engineer



Richard E. Nellis  
Senior Reviewer

## APPENDIX A

### Photographs from Examination



Image 1: Front of Building – Original Brick (October 20, 2020)





Photograph 2: Front Elevation - Original Brick (October 20, 2020)



Photograph 3: Property (October 20, 2020)





Photograph 4: New Wall Application (October 29, 2021)

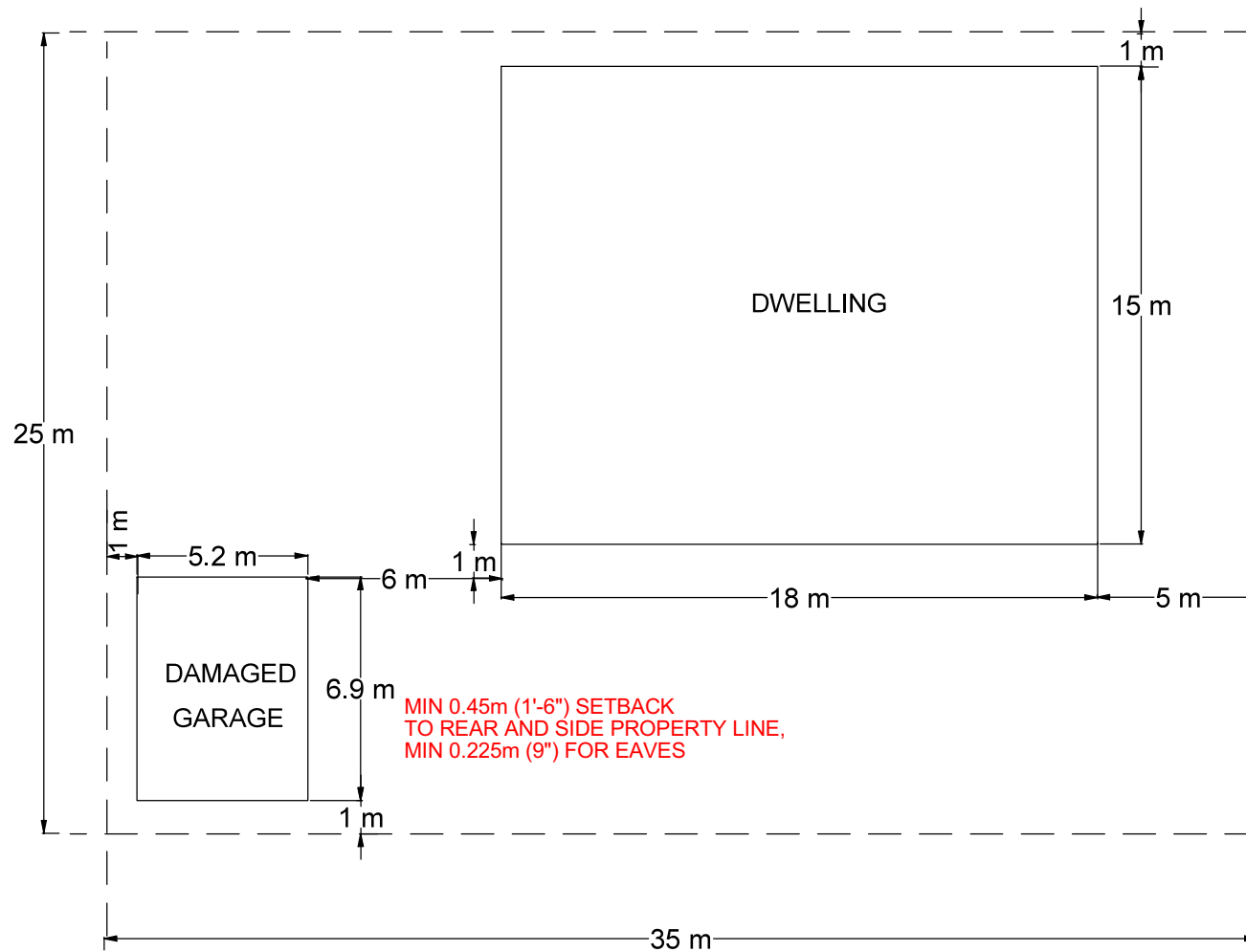


Photograph 5: New Wall Application Close-up (October 29, 2021)



# SITE PLAN FOR 124 ST CLAIR AVE, HAMILTON

REPAIRS TO DAMAGED GARAGE ARE IN PLACE, WITH 1-1 REPLACEMENT OF DAMAGED 4-5 ROOF RAFTER TAILS



SAME SIZE, SAME LOCATION, SAME VOLUME



Reviewed for Ontario  
Building Code Compliance.

Subject to Corrections Noted  
on Plans and Field Inspections.

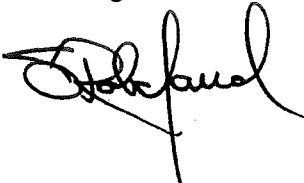
Permit: 20 197441 000 00 R9  
Date: 01/29/21  
Name: Julie Facey-Crowther  
Approved by:

Draft A\_nov30-2017-8.jpg





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

<b>TO:</b>	Chair and Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	January 21, 2022
<b>SUBJECT/REPORT NO:</b>	Heritage Permit Application HP2021-055, Under Part V of the <i>Ontario Heritage Act</i> , to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3)
<b>WARD(S) AFFECTED:</b>	Ward 3
<b>PREPARED BY:</b>	Chloe Richer (905) 546-2424 Ext. 7163
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That Heritage Permit Application HP2021-055, to permit new cladding (Indiana Split Veneer Limestone) installed without a Heritage Permit along the front of the garage structure, for the lands located at 124 St. Clair Avenue, be **approved**.

### EXECUTIVE SUMMARY

The subject property at 124 St. Clair Avenue (see Appendix "A" attached to Report PED22044) is designated under Part V of the *Ontario Heritage Act* by By-law No. 86-125 attached as Appendix "B" to Report PED22044.

The Application proposes to permit new cladding (Indiana Split Veneer Limestone) installed without a Heritage Permit along the front of the garage structure to repair damage from a fallen tree. Photographs of the garage indicating the former brick cladding and new Indiana Split Veneer Limestone cladding are included in the Heritage Permit Application report prepared by EFI Global, dated November 11, 2021, and submitted by the Application. This report can be found attached as Appendix "C" to Report PED22044; see pages 5-9.

---

*OUR Vision: To be the best place to raise a child and age successfully.*

*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: Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3) - Page 2 of 8**

---

The *Ontario Heritage Act* requires that Council make a decision on a Heritage Permit Application within 90 days of the issuance of a Notice of Complete Application. If no decision is reached within the 90-day timeframe, Council shall be deemed to consent to the Application. The subject Application's 90-day timeframe will be reached on March 8, 2022.

The Heritage Permit Review Subcommittee of the Hamilton Municipal Heritage Committee (HMHC) reviewed the subject Application on December 14, 2021 and January 18, 2022. At their meeting on January 18, 2022, the Subcommittee recommended denial of the Application as the new cladding is not in keeping with the character of the St. Clair Avenue Heritage Conservation District (HCD). When a Heritage Permit Application is recommended for denial by the Subcommittee, the Application is subject to Council decision.

Should the Application have been received prior to the alterations having occurred, staff would have recommended a more complimentary cladding be installed. Staff are supportive of the Application to permit the installation of the existing new cladding as there is no documentation that speaks to the garage having significant historical value other than its general contribution to the overall character of the property and the HCD, and the garage is located at the rear of the property. As such, staff recommend approval of the Heritage Permit Application.

***Alternatives for Consideration – See Page 7***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: This Heritage Permit Application has been processed and considered within the context of the applicable legislation.

Section 42 (1) of the *Ontario Heritage Act* states that:

“No owner of property situated in a heritage conservation district that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so:

1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property; and,

---

*OUR Vision: To be the best place to raise a child and age successfully.*

*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: Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3) - Page 3 of 8**

---

2. Erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal of such a building or structure. 2005, c. 6, s. 32 (1).”

Section 42 (4) of the *Ontario Heritage Act* states that:

“Within 90 days after the notice of receipt is served on the applicant under subsection (3) or within such longer period as is agreed upon by the applicant and the council, the council may give the applicant,

- (a) The permit applied for;
- (b) Notice that the council is refusing the Application for the permit; or,
- (c) The permit applied for, with terms and conditions attached. 2005, c. 6, s. 32 (3).”

With respect to the delegation of Council’s approval authority, Section 42 (16) of the *Ontario Heritage Act* states that:

“The council of a municipality may delegate by by-law its power to grant permits for the alteration of property situated in a heritage conservation district designated under this Part to an employee or official of the municipality if the council has established a municipal heritage committee and consulted with it before the delegation. 2005, c. 6, s. 32 (6).”

## **HISTORICAL BACKGROUND**

This Heritage Permit Application (HP2021-055) was received on November 11, 2021 and the Notice of Complete Application was issued on December 8, 2021.

The Heritage Permit Review Subcommittee of the HMHC reviewed the subject Application on December 14, 2021 and deferred it.

The Heritage Permit Review Subcommittee of the HMHC reviewed the subject Application again on January 18, 2022 and recommended denial of the Application.

---

*OUR Vision: To be the best place to raise a child and age successfully.*

*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: Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3) - Page 4 of 8**

---

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Urban Hamilton Official Plan**

Volume 1, Section 3.4 – General Cultural Heritage Policies of the Rural Hamilton Official Plan (RHOP) states that the City shall:

- “B.3.4.2.1(a) Protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes for present and future generations;
- e) Encourage the ongoing care of individual cultural heritage resources and the properties on which they are situated together with associated features and structures by property owners and provide guidance on sound conservation practices; and,
- h) Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes, by encouraging those land uses, development and site alteration activities that protect, maintain and enhance these areas within the City.
- B.3.4.2.1 (i) Use all relevant provincial legislation, particularly the provisions of the *Ontario Heritage Act*, the *Planning Act* R.S.O., 1990 c. P.13, the *Environmental Assessment Act*, the *Municipal Act*, the *Niagara Escarpment Planning and Development Act*, the *Cemeteries Act*, the *Greenbelt Act*, the *Places to Grow Act* and all related plans and strategies in order to appropriately manage, conserve and protect Hamilton’s cultural heritage resources.”

These policies from the Urban Hamilton Official Plan (UHOP) demonstrate Council’s commitment to the identification, protection, and conservation of cultural heritage resources, and the recommendations of this Report meet the intent of these policies.

## **RELEVANT CONSULTATION**

### **Heritage Permit Review Subcommittee**

Pursuant to Sub-sections 28 (1) of the *Ontario Heritage Act* and the Council approved Heritage Permit Process (PED05096), the HMHC advises and assists Council on matters relating to Part IV and V of the *Ontario Heritage Act*.

---

*OUR Vision: To be the best place to raise a child and age successfully.*

*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: Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3) - Page 5 of 8**

---

The Heritage Permit Review Subcommittee of the HMHC reviewed the subject retroactive Application for at a meeting held on December 14, 2021. After a presentation and question and answer period with the Applicant's agent, the Subcommittee passed a motion to recommend deferral of the Application as submitted, to provide the home owner the chance to meet with staff and the opportunity to agree to installing an alternate, compatible cladding material.

"That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-055 be deferred until a future meeting of the sub-committee to allow the owner to consider removal of the existing limestone veneer cladding and installation of an alternative cladding on the front façade of the garage structure that is in keeping with the character of the St. Clair Avenue Heritage Conservation District."

The Application returned to the Subcommittee on January 18, 2022. The home owner and their agent had the opportunity to meet with staff prior to the Subcommittee meeting and advised they were not in support of removing the existing cladding and installing a new and alternative cladding material.

The home owner provided further details regarding the history of the work completed without a Heritage Permit Application, which was initiated as a result of damage from a tree impact in October 2020. A third party was retained by the home owner's insurance company for the purpose of applying for applicable City of Hamilton permits. The original work was scoped to the roof of the garage structure and a Heritage Permit was not required as the replacement used in-kind materials. The Heritage Permitting approval process was not followed at the time of the alteration to the front cladding of the garage.

At its meeting on January 18, 2022, the Subcommittee recommended that the Application be denied.

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

The subject lands at 124 St. Clair Avenue contain a two-and-a-half storey Hipped-Roof Box style dwelling with Tudor elements and detached garage, both constructed in 1915. The detached garage is the subject of the retroactive Heritage Permit Application. The brick cladding on the garage, which was removed prior to installation of the new cladding (Indiana Split Veneer Limestone), dated to the 1990s as stated by the applicant at the January 18, 2022, Subcommittee meeting.

---

*OUR Vision: To be the best place to raise a child and age successfully.*

*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: Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3) - Page 6 of 8**

---

Heritage Permit Application (HP2021-055) proposes the following alterations:

- Permit new cladding (Indiana Split Veneer Limestone) installed without a Heritage Permit along the front of the garage structure.

Staff deemed the Application comprehensive and complete on December 8, 2021.

Key factors that are considered in the evaluation of any change affecting a heritage resource are consideration of:

- **Displacement effects:** those adverse actions that result in the damage, loss, or removal of valued heritage features; and,
- **Disruption effects:** those actions that result in detrimental changes to the setting or character of the heritage feature.

In the consideration of any Heritage Permit Application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the objectives and policies of the St. Clair Heritage District Planning Study and District Plan.

Key objectives and policies of the St. Clair Heritage District Planning Study and District Plan include:

- 8.2.1. **Positive Design Features** “The setback and design of most of the private garage structures.”
- 10.3.4. **Building** “Restoration of the original features of the building will be encouraged.”
- 10.3.4. **Building** “Authentic materials such as brick, stone and wood, to reflect the texture of the area, will be encouraged. Original or similar materials and colours will be used.”
- 10.3.4. **Building** “Unauthentic materials such as plastics and aluminium will be discouraged.”

There will be minimal “displacement effects” to the subject property as a result of this work. The brick cladding of the garage that has been removed was not a historic cladding material; it was a popular type of brick in the 1970s and 1980s added to the structure in the 1990s, as per the engineer’s report provided by the home owner (see Appendix “C” attached to Report PED22044).

Moderate “disruption effects” are expected to the heritage context of the property. The front of the garage structure is not being restored as a best heritage conservation

---

*OUR Vision: To be the best place to raise a child and age successfully.*

*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: Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3) - Page 7 of 8**

---

practice. There will be the introduction of a new cladding material that is generally incompatible with the texture of the existing house on site, though the brick that was removed from the garage was not a heritage brick. The new cladding is a stone veneer that is more similar to the sills of the existing house than a plastic or aluminium material would be, two materials that are identified as unauthentic in the St. Clair Heritage District Planning Study and District Plan. Though its construction date appears to be in line with the construction date of the dwelling, the garage does not appear to have significant historical value other than its general contribution to the overall character of the property and the HCD. Further, it is located to the rear of the property.

Though the best heritage conservation practice would be to remove the new cladding and restore the original front of the garage structure, staff met with the home owner and their agent to encourage this option, which is not the approach the home owner wishes to take. Staff recommend an approach emphasizing public education around the Heritage Permit approval practice occur in place of denial of the Heritage Permit Application. Of special consideration is that it appears an error was made by the third party overseeing the broader City of Hamilton permitting process in not applying for a Heritage Permit prior to the alterations, and the home owner was not involved due to the nature of the insurance claim context. In addition, though further investigation would be required, it is possible that original historic building materials are preserved under the existing new cladding, and a future alteration could be the removal of the new cladding and restoration of the front façade of the garage structure. As such, staff are not in support of the recommendation of the Heritage Permit Review Subcommittee to deny the Heritage Permit Application.

**Conclusions:**

Staff are of the opinion that the Heritage Permit Application (HP2021-055) can be supported, though there is deviation from the best practices of the St. Clair Heritage District Planning Study and District Plan, as displacement effects are minimal. Staff acknowledge that approval would result in moderate disruption effects. As such, staff recommend that the Heritage Permit Application be approved.

**ALTERNATIVES FOR CONSIDERATION**

**(1) Refuse the Heritage Permit Application.**

HMHC may advise Council to refuse this Application. This is not being recommended.

---

*OUR Vision: To be the best place to raise a child and age successfully.*

*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: Heritage Permit Application HP2021-055, Under Part V of the Ontario Heritage Act, to Permit New Cladding (Indiana Split Veneer Limestone) Installed Without a Heritage Permit Along the Front of the Garage Structure, 124 St. Clair Avenue, Hamilton (PED22044) (Ward 3) - Page 8 of 8**

---

**(2) Approve the Heritage Permit with Conditions.**

HMHC may advise Council to approve this Application with conditions of approval. This is not being recommended.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**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.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" - Location Map

Appendix "B" - By-law No. 86-125

Appendix "C" - Heritage Permit Application Report Prepared by EFI Global, Dated November 11, 2021

CR:sd

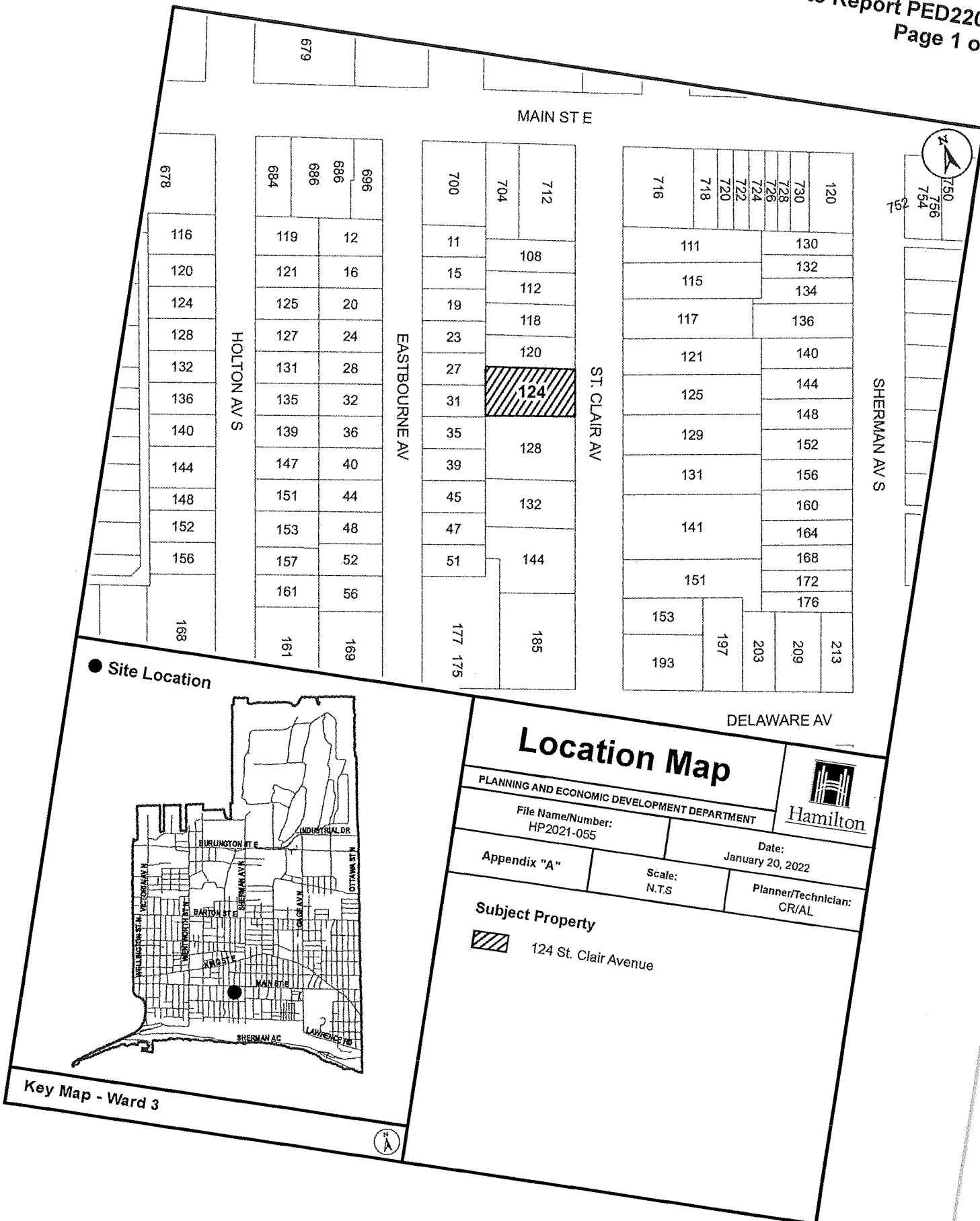
---

*OUR Vision: To be the best place to raise a child and age successfully.*

*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.*

Appendix "A" to Report PED22044  
Page 1 of 1



## Appendix "B" to Report PED22044

- 306 -

04/08/86

Page 1 of 2

Bill No. D-41

The Corporation of the City of Hamilton

BY-LAW NO. 86-125

To Designate:

AS A HERITAGE CONSERVATION DISTRICT THE AREA COMPRISED OF  
ST. CLAIR AVENUE BETWEEN MAIN STREET EAST AND DELAWARE AVENUE

WHEREAS subsections 41(1) and 41(3) of The Ontario  
Heritage Act, R.S.O. 1980, Chapter 337 provide as follows:

41. (1) Subject to subsection (2), where there is in effect in a municipality an official plan that contains provisions relating to the establishment of heritage conservation districts, the council of the municipality may by by-law designate the municipality or any defined area or areas thereof as a heritage conservation district.

(2) A by-law passed under subsection (1) does not come into force without the approval of the Board.

AND WHEREAS By-law No. 85-199, passed on the 24th day of September, 1985, defined the area shown on Schedule "A" thereto as a Heritage Conservation District to be examined for future designation;

AND WHEREAS such examination has been completed;

AND WHEREAS the Official Plan of the City of Hamilton contains provisions relating to the establishment of heritage conservation districts;

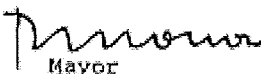
AND WHEREAS it is intended to designate the area defined by the said by-law.

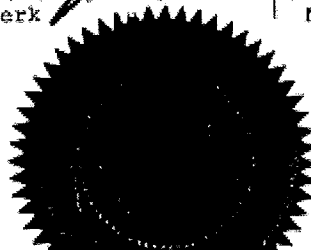
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The area shown on Schedule "A" hereto annexed and forming part of this by-law, and comprised in the area defined by By-law No. 85-199, is hereby designated as a Heritage Conservation District.

PASSED this 8th day of APRIL A.D. 1986.

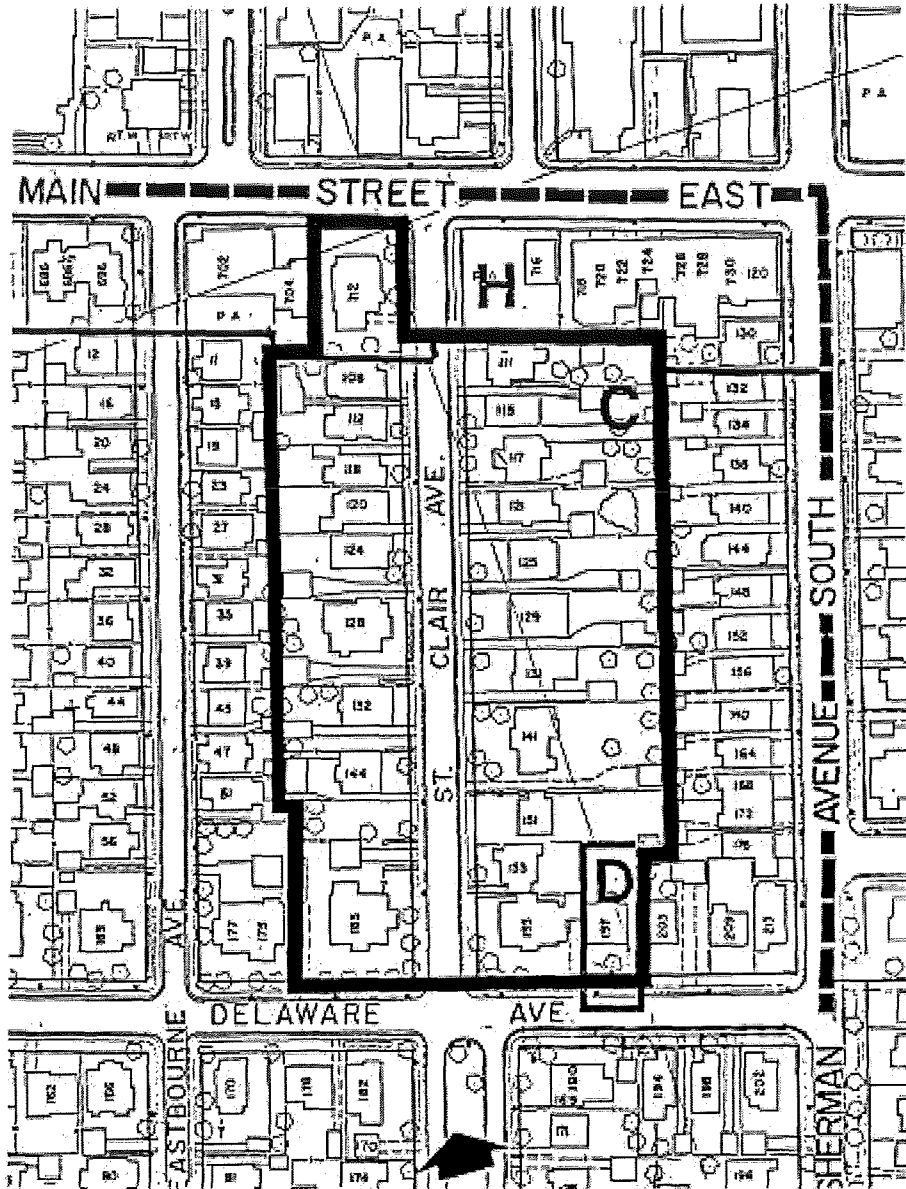
  
City Clerk

  
Mayor



04/08/86

- 307 -



THIS IS SCHEDULE "A" TO BY-LAW NO 86-125  
PASSED THE 8<sup>TH</sup> DAY OF APRIL 1986.

*[Signature]*  
 Clerk

*[Signature]*  
 Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF  
BY-LAW NO. 86-125

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS SUBJECT TO BY-LAW NO 86-125

North



Scale  
N.T.S.

Date  
FEBRUARY 1986

Reference File No.  
P5-6-4-5

Drawing No.  
86-H-29



46 Jackson Street East  
Hamilton, ON, L8N 1L1  
(905) 524-1523

## Heritage Permit Application

EFI Global File No.: 9496 6034 7028

November 11, 2021

Original Building Permit: 20 197441 00 R9: Impact Damage – Accessory Structure

Peter McMillan

Loss Location: 124 St. Clair Avenue, Hamilton, ON

Date of Loss: October 8, 2020

Claim No.: 4033598100

Prepared For:

City of Hamilton

71 Main Street West

Hamilton, ON, L8P 4Y5

Attention: Amber Knowles

Email: [Amber.knowles@hamilton.ca](mailto:Amber.knowles@hamilton.ca)

cc. [Adam.mancini@intact.net](mailto:Adam.mancini@intact.net); [3033125748@cc.intact.net](mailto:3033125748@cc.intact.net)

**INTRODUCTION:**

EFI Global Canada (EFI) was retained by Intact Insurance to assist with a heritage permit for an accessory structure located on the subject address.

We attended site on October 29, 2021 for the purpose of conducting our inspection and reviewing restoration. For the purpose of directional reference, the front of the building is presumed to face due east, toward St. Clair Avenue. We have included an appendix illustrating photographs from our assessment. We have included the original building permit drawings which illustrate a site plan of the property.

**BACKGROUND:**

The incident building was a detached, single storey accessory building (Photograph 1). The building was constructed using dimensionally framed lumber.

The subject structure was damaged by a tree impact occurrence in October of 2020. EFI global was retained to provide drawings and apply for permit to repair the structure. A permit (Permit No. 20 197441 00 R9) was issued by the City of Hamilton on January 29, 2021. Original repairs for the structure did not include removal and replacement of the front brick masonry.

It was reported to EFI Global in August of 2021 that repairs to the building included replacement of brick masonry along the front face of the building.

The following document serves as a retroactive permit application to accept repairs of the front façade of the accessory structure within the subject address.

**INSPECTION:**October 20, 2020

The front façade of the accessory structure consisted of a brown brick installed between door openings. This brick was a type of "Meridian Brick - Heritage Brown" and approximately 36 square feet of brick was installed along the front façade. Images of the original brick have been appended for review (photographs 1-2). At the time of inspection, the structure was damaged. Review of the brick consistency, color and texture provided evidence the brick is not original to the structure / property. The observed brick was a

---

popular type of brick in the 1970s – 1980s. The brick did not match the brick currently on the primary residential structure, which appears to be original to the building (photograph 3). Further, the method of installation of the accessory structure's original brick is not consistent with historical construction since the brick is installed in a "veneer" type application with the brick being tied back to the superstructure. While not confirmed by EFI Global, it was reported by the installing contractor, ProBert Construction Inc. that the brick was overhanging the supporting foundation by a substantial amount of brick thickness.

October 29, 2021

The new front façade brick was installed using "Indiana Split Veneer Limestone". The veneer was approximately 1" thick and was installed using wire mesh lathe backing. Images of the new front façade have been provided (photographs 4-5). As confirmed by the installing contractor, ProBert Construction Inc., the reasoning for choosing the installed materials was that the material was thinner than the original and could be better supported by the foundation. Further, the new material closely matched the existing primary structure's foundation walls. Additional fascia installation, trim and painting was also performed for the building.

It is unclear why a heritage permit was not applied for prior to conducting the work along the front of the structure. However, it is suspected that the installing contractor is not located in the Hamilton region and would not be aware of any heritage permit requirements. EFI Global was not aware that construction of new materials along the front face of the building occurred until after installation. Further clarification would need to be made by the homeowner and the installing contractor with respect to not obtaining heritage approval.

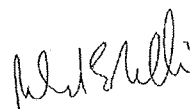
**CLOSURE:**

We trust that this letter report meets your immediate requirements with respect to heritage application. Should you require more information, please do not hesitate to contact us.

Respectfully submitted,



Ryan Sneek  
Professional Engineer



Richard E. Nellis  
Senior Reviewer



## APPENDIX A

Photographs from Examination





Image 1: Front of Building – Original Brick (October 20, 2020)



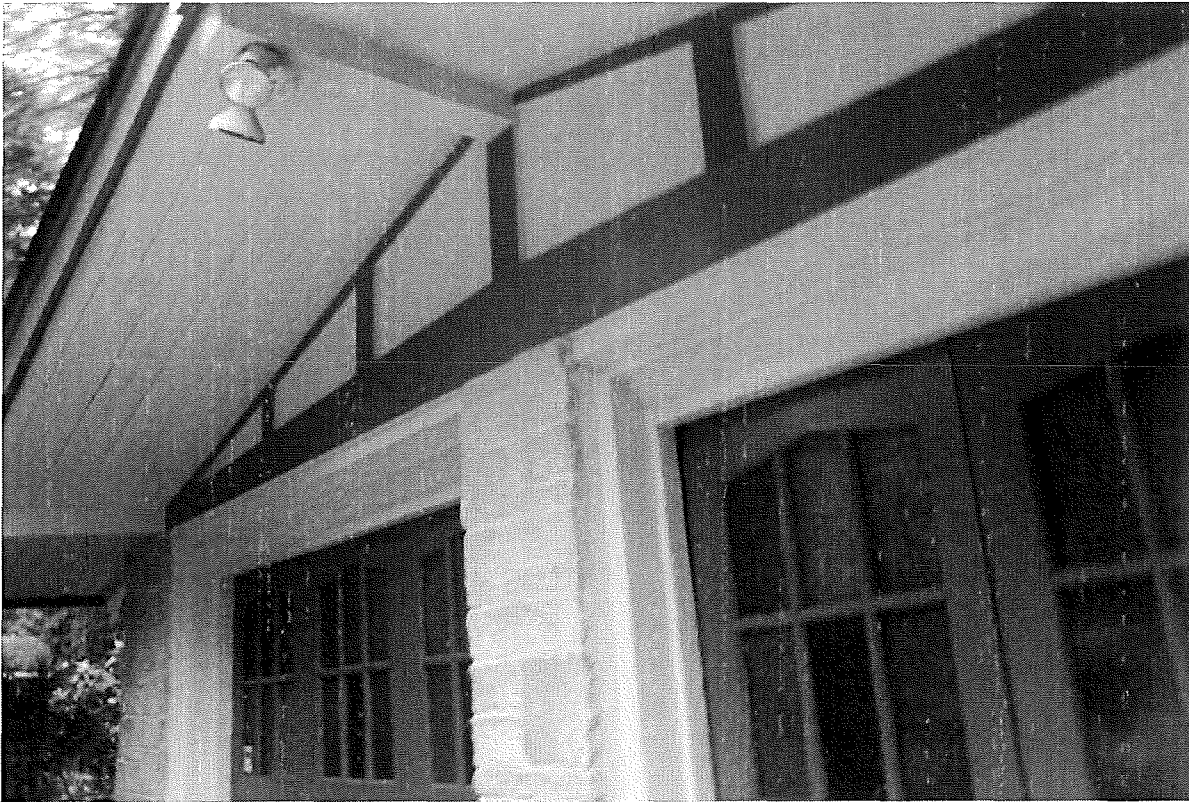
Photograph 2: Front Elevation - Original Brick (October 20, 2020)



Photograph 3: Property (October 20, 2020)



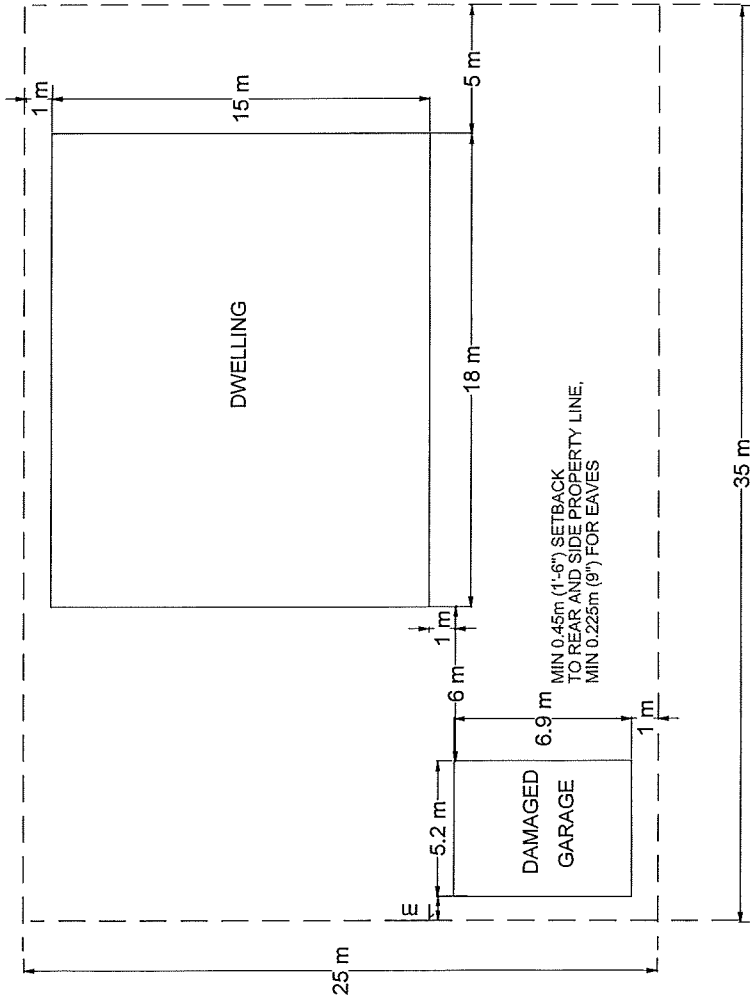
Photograph 4: New Wall Application (October 29, 2021)



Photograph 5: New Wall Application Close-up (October 29, 2021)

### SITE PLAN FOR 124 ST CLAIR AVE, HAMILTON

REPAIRS TO DAMAGED GARAGE ARE IN PLACE, WITH 1-1 REPLACEMENT OF DAMAGED 4-5 ROOF RAFTER TAILS



SAME SIZE, SAME LOCATION, SAME VOLUME

**Hamilton**  
Building Division

Reviewed for Ontario  
Building Code Compliance.  
Subject to Corrections Noted  
on Plans and Field Inspections.

Permit: 20-197441-000-00-R9  
Date: 01/29/21  
Name: Julie Facey-Crowther  
Approved by: *[Signature]*

ST CLAIR AVE







## INFORMATION REPORT

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 1, 2022
<b>SUBJECT/REPORT NO:</b>	Appeal of Zoning By-law Amendment Application ZAC-20-043 and Draft Plan of Subdivision Application 25T-202009 for Lands Located at 262 McNeilly Road and 1036 - 1090 Barton Street, Stoney Creek (PED22022) (Ward 10)
<b>WARD(S) AFFECTED:</b>	Ward 10
<b>PREPARED BY:</b>	Melanie Schneider (905) 546-2424 Ext. 1224
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### COUNCIL DIRECTION

In accordance with Subsection 34(11) of the *Planning Act*, a Zoning By-law Amendment Application and Draft Plan of Subdivision Application may be appealed to the Ontario Land Tribunal (OLT) after 120 days if Council has not made a decision on the Application.

A motion to direct staff to advise the Planning Committee on matters relating to appeals regarding Council's non-decision, pursuant to the *Planning Act*, was passed by City Council on May 18, 2010. This Information Report has been prepared in accordance with Council's policy for staff to advise the Planning Committee and City Council of appeals for non-decision to the OLT.

The following information is provided to Planning Committee with regards to Zoning By-law Amendment Application ZAC-20-043, and Draft Plan of Subdivision Application 25T-202009, which have been appealed by the proponent for non-decision. The appeal of the Zoning By-law Amendment, and Draft Plan of Subdivision Applications, filed by Nancy Smith, counsel for 1312733 Ontario Inc. (Owner), was received by the City Clerk's Office on October 26, 2021, 347 days after the receipt of the initial application (refer to Appendix "D" attached to Report PED22022).

---

OUR Vision: To be the best place to raise a child and age successfully.

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: Appeal of Zoning By-law Amendment Application ZAC-20-043 and Draft Plan of Subdivision Application 25T-202009 for Lands Located at 262 McNeilly Road and 1036 - 1090 Barton Street, Stoney Creek (PED22022) (Ward 10) - Page 2 of 4**

---

## **Background**

The subject property is municipally known as 262 McNeilly Road and 1036 to 1090 Barton Street (see Appendix “A” attached to Report PED22022). The Applicant, GSAI, c/o Mark Condello, on behalf of 1312733 Ontario Inc. (Owner), applied for a Zoning By-law Amendment (Application No. ZAC-20-043) and Draft Plan of Subdivision (Application No. 25T-202009) for the development of 545 residential units. These Applications were deemed complete on November 13, 2020.

The subject property, located on the south side of Barton Street between McNeilly Road and Lewis Road, is irregular in shape and 21.05 hectares in size. The lands are comprised of former agricultural lands and former estate rural residential lots. The lands located at 262 McNeilly Road have frontage on both McNeilly Road and Barton Street.

The purpose and effect of these Applications is to facilitate the development of 545 residential units, being 154 single and semi detached dwellings, 206 street townhouses, and 185 block townhouses, the creation of a neighbourhood park, and a block for a stormwater management pond (see Appendix “B” attached to Report PED22022).

## **Urban Hamilton Official Plan**

The subject lands are identified as “Neighbourhoods” with Barton Street identified as “Secondary Corridor” on Schedule “E” – Urban Structure and designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in Volume 1 of the Urban Hamilton Official Plan.

The subject lands are further designated “Low Density Residential 2”, “Low Density Residential 3”, and “Medium Density Residential 2”, and “Neighbourhood Park” on Map B.7.4-1 in the Fruitland-Winona Secondary Plan. A Stormwater Management Pond is also conceptually identified on the same map.

## **City of Stoney Creek Zoning By-law No. 3692-92**

The subject lands are zoned Rural Residential “RR” Zone and Agricultural Specialty “AS” Zone in the Stoney Creek Zoning By-law No. 3692-92.



**SUBJECT: Appeal of Zoning By-law Amendment Application ZAC-20-043 and Draft Plan of Subdivision Application 25T-202009 for Lands Located at 262 McNeilly Road and 1036 - 1090 Barton Street, Stoney Creek (PED22022) (Ward 10) - Page 3 of 4**

---

### **Zoning By-law Amendment Application**

Zoning By-law Amendment Application ZAC-20-043 seeks to change the zoning from the Rural Residential “RR” Zone and Agricultural Specialty “AS” Zone to:

- A modified Single Residential “R4” Zone;
- A modified Multiple Residential “RM2” Zone; and,
- A modified Multiple Residential “RM3” Zone.

In addition, the Application seeks to incorporate a portion of the lands into the Hamilton Zoning By-law No. 05-200 under the Neighbourhood Park (P1) Zone and a modified Conservation / Hazard Land (P5) Zone.

Modifications to the “R4”, “RM2”, and “RM3” Zones include adjustments to lot area, lot frontage, minimum front, side and rear yards, maximum lot coverage, building heights, landscaped open space, and adjustments to yard projections.

The requested site specific modifications are shown conceptually on the Concept Plan in Appendix “B” attached to Report PED22022.

### **Draft Plan of Subdivision Application**

Application 25T-202009 is a Draft Plan of Subdivision Application consisting of 203 lots/blocks as follows:

- Lots 1-154 for 154 single detached dwellings;
- Blocks 155-186 for 206 street townhouses;
- Two Blocks for 185 block townhouses;
- Three Blocks for future residential development with adjacent lands;
- One Block for a Neighbourhood Park;
- One Block for a pedestrian pathway;
- One Block for a stormwater management pond;
- Five Blocks for 0.3m reserves; and,
- Two Blocks for road widenings on Barton Street and McNeilly Road.

The proposal also includes the creation of eight public local roads, as shown on Appendix “C” attached to Report PED22022.

**SUBJECT: Appeal of Zoning By-law Amendment Application ZAC-20-043 and Draft Plan of Subdivision Application 25T-202009 for Lands Located at 262 McNeilly Road and 1036 - 1090 Barton Street, Stoney Creek (PED22022) (Ward 10) - Page 4 of 4**

---

As a result of the circulation and technical review of the applications, the following issues/concerns have been identified:

- Reduction of yard setbacks and unit widths;
- On street parking design does not meet municipal requirements;
- Narrow lot frontages hinder adequate Engineering design;
- Overall the Engineering design does not meet municipal standards, nor does it meet the Block 3 Servicing Strategy of the Fruitland-Winona Secondary Plan;
- Natural Heritage considerations from the Block 3 Servicing Strategy have not been incorporated into the development proposal;
- Revised Noise Study required with up to date data;
- Further detail is required in the Urban Design Report with revisions to the lot fabric; and,
- Inadequate information for waste collection serviceability.

## **PUBLIC CONSULTATION**

As part of the Applicant's Public Consultation Strategy and in consultation with the Ward Councillor, a neighbourhood meeting was held on March 31, 2021. Notice of the neighbourhood meeting was sent to 80 properties within 120 metres of the subject lands and the local ward councillor.

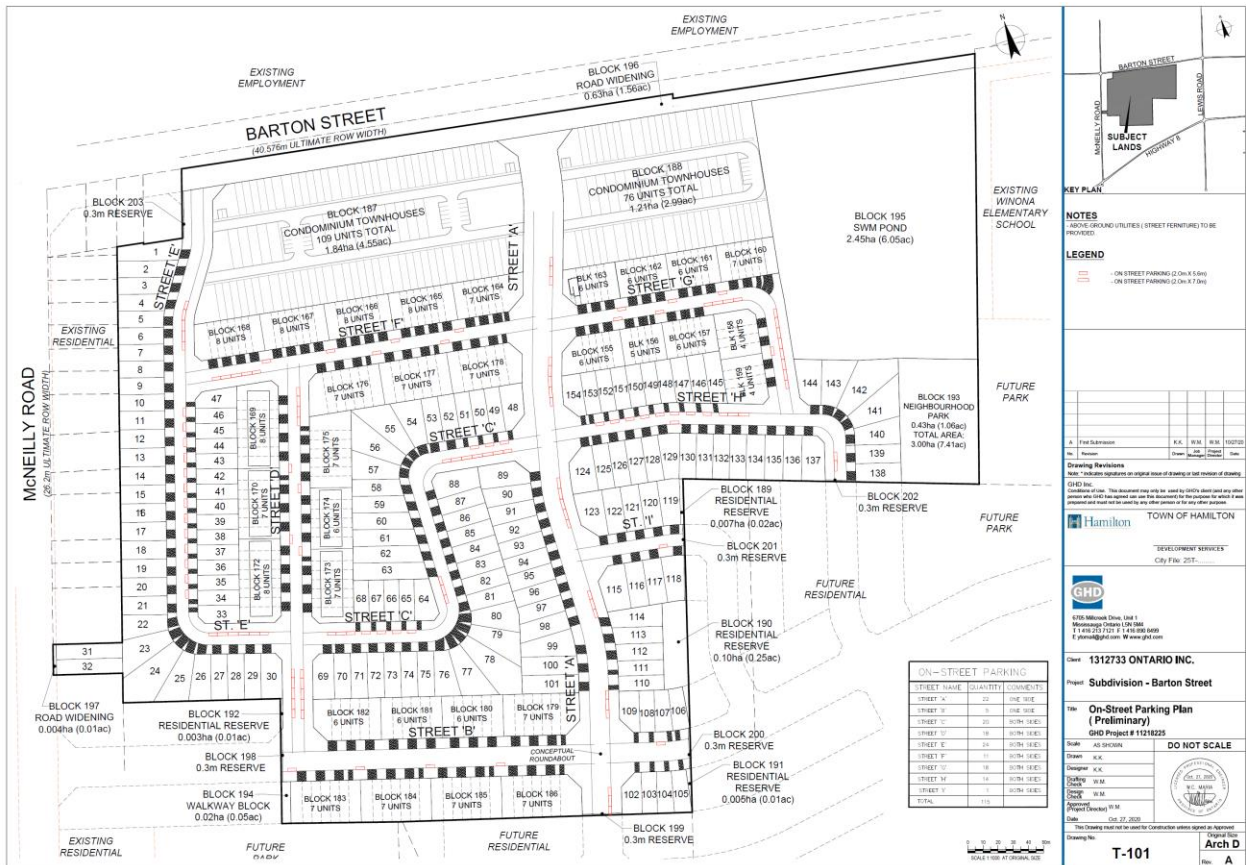
To date, staff have received three submissions from the public; one in support of the development, one opposed to the proposal, and one seeking further information on the Application.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" – Location Map  
Appendix "B" – Concept Plan  
Appendix "C" – Draft Plan of Subdivision  
Appendix "D" – Letter of Appeal

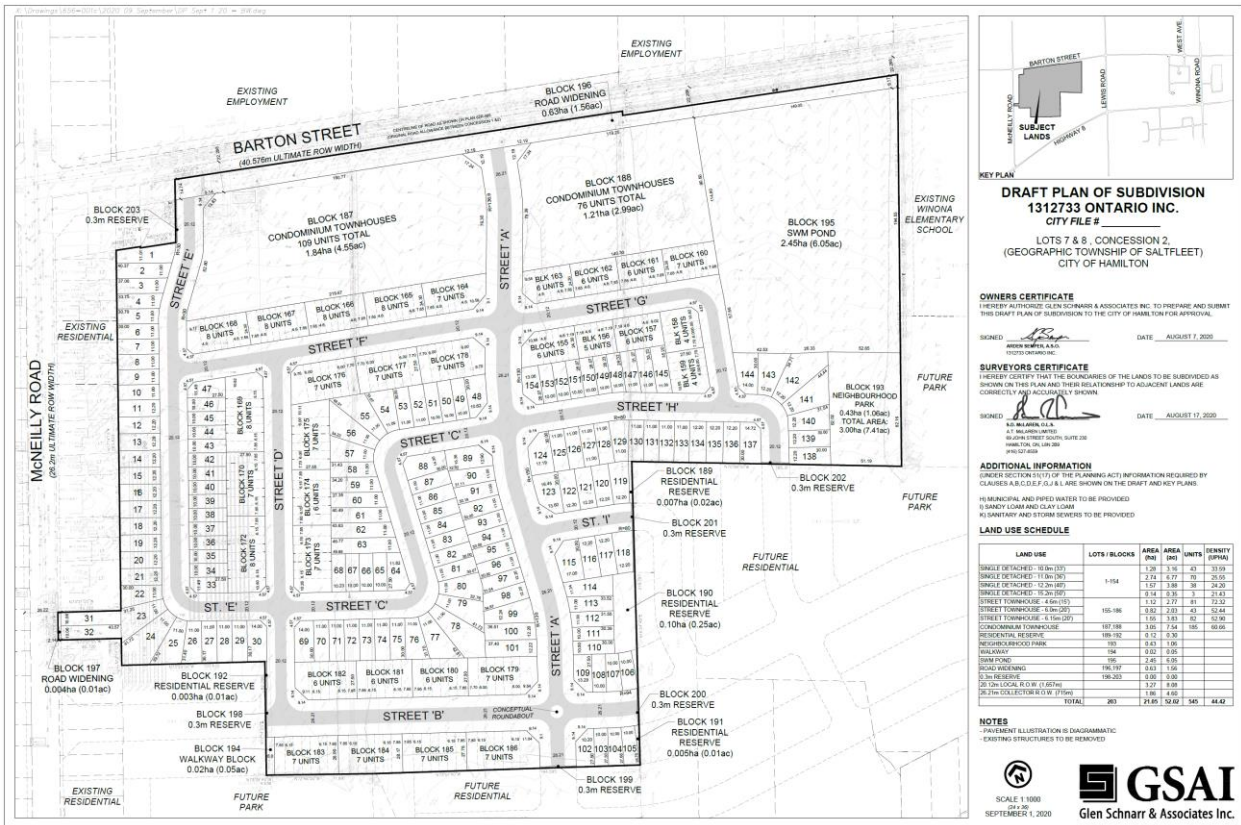


Appendix "B" to Report PED2022  
Page 1 of 1





Appendix "C" to Report PED2022  
Page 1 of 1



**DRAFT PLAN OF SUBDIVISION**  
**1312733 ONTARIO INC.**  
CITY FILE #  
LOTS 7 & 8, CONCESSION 2  
(GEOGRAPHIC TOWNSHIP OF SALTFLREET)  
CITY OF HAMILTON

**OWNERS CERTIFICATE**  
I HEREBY AUTHORIZE GLEN SCHNARR & ASSOCIATES INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE CITY OF HAMILTON FOR APPROVAL.  
SIGNED: [Signature] DATE: AUGUST 7, 2020  
GLEN SCHNARR & ASSOCIATES INC.  
10025 ORANGE AVE.

**SURVEYORS CERTIFICATE**  
I HEREBY CERTIFY THAT THE DIMENSIONS OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.  
SIGNED: [Signature] DATE: AUGUST 7, 2020  
GLEN SCHNARR & ASSOCIATES INC.  
10025 ORANGE AVE.  
SUITE 208  
10025 ORANGE AVE. UNIT 208  
MILTON, ON L9L 2M9  
P: 905.877.8888

**ADDITIONAL INFORMATION**  
DIMENSIONS SECTION 157(7) OF THE PLANNING ACT INFORMATION INCLUDED BY CLAUSES 8 & C.D.E.P. 2, 3 & 4 ARE SHOWN ON THE DRAFT AND KEY PLANS.  
HYDROGRAPHIC AND PIPED WATERS TO BE PROVIDED  
SANITARY DRAIN AND GAS LINES  
W/ SANITARY AND STORM SEWERS TO BE PROVIDED

**LAND USE SCHEDULE**

LAND USE	LOTS / BLOCKS	AREA (ha)	AREA (sq)	UNITS	DENSITY (SP/HA)
STRIP DETACHED - 30' (N1)		1,265	3,135	43	33.97
STRIP DETACHED - 30' (N2)		2,734	6,977	70	25.55
STRIP DETACHED - 30' (N3)	1,154	1,025	2,688	30	24.00
STRIP DETACHED - 30' (N4)		814	2,101	3	21.43
STREET TOWNHOUSE - 4.5m (S1)		1,122	2,917	81	72.57
STREET TOWNHOUSE - 4.5m (S2)		832	2,153	43	52.44
STREET TOWNHOUSE - 4.5m (S3)	155-186	1,005	2,611	81	62.90
CONDOMINIUM TOWNHOUSE	187-188	1,005	2,611	185	60.96
RESIDENTIAL RESERVE	189-192	2,129	5,506		
NEIGHBOURHOOD PARK	193	0.43	1,106		
WALKWAY	194	0.02	50.95		
SWIM POND	196	2.45	6,285		
ROAD WIDENING	196-197	0.60	1,550		
0.3m RESERVE	198-200	0.05	126.60		
20' (N) LOCAL R.O.W. (S1)		1.96	5,077		
20' (N) LOCAL R.O.W. (S2)		1.96	5,077		
<b>TOTAL</b>	<b>363</b>	<b>21.65</b>	<b>56,019</b>	<b>345</b>	<b>44.42</b>

**NOTES**  
- PRESENT ILLUSTRATION IS DIAGRAMMATIC  
- EXISTING STRUCTURES TO BE REMOVED



**Appendix “D” to Report PED22022**  
**Page 1 of 15**



**Nancy Smith**  
 Turkstra Mazza Associates  
 15 Bold Street  
 Hamilton Ontario Canada L8P 1T3  
 Office: 905.529.3476  
[nsmith@tmalaw.ca](mailto:nsmith@tmalaw.ca)

**VIA EMAIL & COURIER**

October 26, 2021

City of Hamilton  
 71 Main Street West, 1<sup>st</sup> Floor  
 Hamilton, ON L8P 4Y5

Attention: Andrea Holland, City Clerk

Dear Ms. Holland:

**Re:    NOTICE OF APPEAL**  
**1312733 Ontario Inc.**  
**262 McNeilly Road, 1036, 1038, 1054 and 1090 Barton Street**  
**Municipal File No. FC-19-105**

We represent 1312733 Ontario Inc. (“**Applicant**”) which owns lands legally described as Part of Lot 7 and 8, Concession Road 2, and municipally known as 262 McNeilly Road, 1036, 1038, 1054 and 1090 Barton Street, within the City of Hamilton (“**Subject Lands**”). The Applicant submitted a Zoning By-law Amendment Application and a Draft Plan of Subdivision Application (collectively referred to as the “**Applications**”) to the City of Hamilton (“**City**”). The Applications allow for the development of the Subject Lands with 154 single detached dwellings, 206 street townhouse dwellings, and 185 condominium townhouse dwellings.

Future Site Plan and Draft Plan of Condominium applications will be required for the proposed condominium blocks. These applications will be submitted on a later date.

The City has failed to make a decision within the allotted timeframes, and we hereby appeal the Applications to the Ontario Land Tribunal (“**Tribunal**”) pursuant to subsections 34(11) and 51(34) of the *Planning Act*, R.S.O., c. P.13.

**THE SUBJECT LANDS**

The Subject Lands are comprised of five contiguous parcels and front onto both Barton Street and McNeilly Road. The Subject Lands are irregular in shape and have a total area of approximately 21.05 hectares. The Subject Lands are generally vacant and have historically been used for agricultural purposes. Both 1036 and 1038 Barton Street are currently occupied by single detached dwellings.

The lands to the north of the Subject Lands between Barton Street and the Queen Elizabeth Way are used for light industrial uses and are designated in the Urban Hamilton Official Plan (“**UHOP**”) for

TURKSTRA MAZZA ASSOCIATES

## Appendix “D” to Report PED22022

### Page 2 of 15

employment/business park uses. The lands abutting the Subject Lands to the east include the Winona Elementary School, as well as detached dwellings with frontages onto Lewis Road. The lands to the south of the Subject Lands front onto Highway No. 8 between McNeilly Road and Lewis Road and are comprised of commercial uses and residential lots occupied by detached dwellings. Abutting the Subject Lands to the west are detached dwellings with frontage onto McNeilly Road.

The Subject Lands are designated Greenfield Area in the UHOP, are within the City’s Urban Boundary and outside of the Built-Up Area. The Greenfield Area generally allows development. The Subject Lands are also designated Neighbourhood in the UHOP. The Neighbourhood designation primarily allows for residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services.

The Subject Lands are designated Low Density Residential 2, Low Density Residential 3, Medium Density Residential 2 and Neighbourhood Park within the Fruitland Winona Secondary Plan (“**Secondary Plan**”). The Low Density Residential 2 designation of the Secondary Plan permits a net residential density of a minimum of 20 units per hectare and a maximum of 40 units per hectare. The Low Density Residential 3 designation permits all forms of townhouse dwellings and permits a minimum net residential density of 40 units per hectare and a maximum of 60 units per hectare. The Medium Density Residential 2 permits multiple dwellings except street townhouses.

The majority of the Subject Lands are zoned Agricultural Specialty (AS) within the Stoney Creek Zoning By-law No. 3692-92 (“**Stoney Creek ZBL**”), which permits agricultural uses, single detached dwellings, home occupation and accessory buildings or structures to a permitted use. However, 1036 and 1038 Barton street are zoned Rural Residential (RR) within the Stoney Creek ZBL, which permits single detached dwellings, home occupation and accessory buildings or structures to a permitted use.

#### THE DEVELOPMENT PROPOSAL

The Applicant’s proposal consists of 154 single detached dwellings, 206 street townhouse dwellings, and 185 condominium townhouse dwellings. The Subject Lands will be serviced by existing watermains along Highway 8, Barton Street, McNeilly Road and Lewis Road. The proposal will require two stormwater management ponds. One of these stormwater management ponds is proposed for the north-east corner of the Subject Lands, which fronts on Barton Street. Barton Street shall have a four metre-wide Pedestrian Promenade constructed along the south side, adjacent to the Subject Lands. To accommodate this future infrastructure, a total road widening of 0.63 hectares, having a width ranging from 9.17 metres to 14.74 metres, is been provided along Barton Street. The proposal also includes a Neighbourhood Park block and an internal road network.

In summary, the development proposal includes:

- 154 single detached dwellings units ranging in lot width from 10 metres to 12.2 metres;
- 206 street townhouse units;
- 185 condominium townhouse units, which includes back-to-back townhouses, dual frontage townhouses with frontages onto Barton Street and traditional townhouse units;
- 2.45 hectare stormwater management pond;

TURKSTRA MAZZA ASSOCIATES

## Appendix “D” to Report PED22022 Page 3 of 15

- 0.43 hectare neighbourhood park block;
- 0.02 hectare walkway block;
- 0.12 hectare residential reserve blocks; and
- An internal public road network consisting of 20.12 metre and 26.21 metre rights-of-way.

A series of studies and reports were submitted in support of the Applications, including:

1. Planning Justification Report
2. Urban Design Brief
3. Phase One Environmental Site Assessment Update
4. Remediation Report
5. Report on Delineation of Impacted Soils
6. Traffic Impact Study
7. Noise Feasibility Study
8. Geotechnical Investigation
9. Hydrogeological Investigation
10. Functional Servicing and Stormwater Management
11. Water Servicing Study

### Zoning By-law Amendment

The purpose of the Zoning By-law Amendment (“ZBLA”) is to rezone the Subject Lands to Single Residential and Multiple Residential in the Stoney Creek ZBL to permit the development of the proposal. Additionally, the Single Residential zone provisions have been included to allow for semi-detached dwellings in addition to single detached dwellings. The inclusion of the semi-detached dwellings allows the flexibility to respond to market shifts and demands, while providing the option of introducing alternative built forms into the community.

The ZBLA will also rezone the Subject Lands to Neighbourhood Park P1 in ZBL No. 05-200 to permit the proposed Neighbourhood Park and Conservation/Hazard Lands P5 to permit the stormwater management pond.

### Draft Plan of Subdivision

The purpose of the Draft Plan of Subdivision Application is to allow for the development of the Subject Lands with 154 single detached dwellings, 206 street townhouse dwellings, and 185 condominium townhouse dwellings in low and medium density built forms, three residential reserve blocks, a Neighbourhood Park block, a stormwater management pond, and an internal road network.

### BASIS FOR APPEAL

The reasons for appeal include, but are not limited to, the following.

1. The Applications give appropriate regard to the matters of Provincial interest enumerated in section 2 of the Planning Act.

TURKSTRA MAZZA ASSOCIATES



**Appendix “D” to Report PED22022**  
**Page 4 of 15**

2. The Subject Lands are located within a Settlement Area under the Provincial Policy Statement, 2020 (“PPS”) and designated Designated Greenfield Area under the Growth Plan for the Greater Golden Horseshoe, 2019 (“Growth Plan”). The PPS directs growth to Settlement Areas and encourages the efficient use of land, resources and infrastructure. The Growth Plan requires new development taking place in Designated Greenfield Areas to be planned, designated, zoned and designed to support the achievement of complete communities, active transportation, and encourage the integration and viability of transit services.
3. The Applications are consistent with applicable policies of the PPS and sections 1.1.1, 1.1.3, 1.4.1, and 1.6.6 in particular.
4. The Applications conform to applicable policies of the Growth Plan and sections 1.2.1, 1.2.3, and 2.2.1 in particular.
5. The Applications conform to applicable policies of the UHOP and Fruitland-Winona Secondary Plan (“FWSP”).
6. The UHOP’s development policies are aligned with the PPS and Growth Plan policies for development, including promoting the development of complete communities, protecting the natural environment and resources, conserving cultural heritage, and respecting the scale, physical character and context of established neighbourhoods. The UHOP suggests that development is directed to settlement areas to create complete settlements with diversified economic functions and opportunities and a range of housing options.
7. The proposed development is anticipated to accommodate approximately 1,482 people, which calculates to approximately 70.4 person per gross hectare, based on an overall site area of 21.05 hectares, which is in keeping with the City’s growth management objectives.
8. The proposed development provides for a portion of the planned Neighbourhood Park. The Applications are in keeping with the land use schedules, policies, goals and objectives of the FWSP and contribute to the development of a complete community that includes a range and mix of housing types.
9. The proposed road network and capacity of the surrounding roads has been assessed through the Block 3 Servicing Strategy, as well as a subsequent Traffic Impact Study prepared by GHD. The study confirms that the proposed road layout is consistent with the initial findings of the Block 3 Servicing Strategy.

A detailed analysis of applicable policies as summarized above are set out in the Planning Justification Report prepared by Glen Schnarr & Associates Inc., dated November 2020, and which is attached to this Notice of Appeal.

**Appendix "D" to Report PED22022**  
**Page 5 of 15**

**FORM AND FEE**

In satisfaction of the Tribunal's processing requirements, enclosed please find:

1. Planning Justification Report, prepared by Glen Schnarr & Associates Inc. dated November 2020;
2. The required Appeal Form A1; and
3. A cheque in the amount of \$2,200, as the Tribunal's requisite appeal fees for the Applications.

Should you have any questions or require any additional information, please do not hesitate to contact the undersigned.

Yours truly,



Nancy Smith  
NS/jm

**Appendix “D” to Report PED2022**  
**Page 6 of 15**



**Ontario Land Tribunal**

655 Bay Street, Suite 1500, Toronto, ON M5G 1E5  
 Tel: 416-212-6349 | 1-866-448-2248  
 Web Site: olt.gov.on.ca

**Appeal Form (A1)**

<b>Municipal/Approval Authority Date Stamp</b>	<b>Receipt Number (OLT Office Use Only)</b>	<b>Date Stamp – Appeal Received by OLT</b>
	<b>OLT Case Number (OLT Office Use Only)</b>	

Please complete this Appeal Form by following the instructions in the companion document titled “Appeal Form Instructions”. Please read **both** documents carefully to ensure you submit the correct information and complete this form correctly.

There are guides available for review on the Tribunal's [website](#) for different appeal types to assist you in filing an appeal.

**Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal) prior to completing this Appeal Form. Relevant portions of the applicable legislation should also be reviewed before submitting this form. Your appeal must be filed with the appropriate authority within the appeal period as set out in the notice of the decision and applicable legislation.**

**Section 1 – Contact Information (Mandatory)**

Applicant/Appellant/Objector/Claimant Information					
Last Name:			First Name:		
Richard			Schumacher		
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):					
1312733 Ontario Inc.					
Email Address:					
Daytime Telephone Number:				Alternative Telephone Number:	
Mailing Address					
Unit Number:		Street Number:		Street Name:	
				P.O. Box:	
City/Town:		Province:		Country:	
				Postal Code:	



**Appendix “D” to Report PED2022  
Page 8 of 15**

	Site Plans, Minor Variances, Consents and Severances	
<input type="checkbox"/>	Appeal of <i>Development Charges, Education Act, Aggregate Resources Act, Municipal Act</i> matters	3A
<input type="checkbox"/>	Appeal of or objection to <i>Ontario Heritage Act</i> matters under subsections 29, 30.1, 31, 32, 33, 40.1 and 41	3A
<input type="checkbox"/>	Appeal of <i>Planning Act</i> (subsections 33(4), 33(10), 33(15), 36(3)), <i>Municipal Act</i> (subsection 223(4)), <i>City of Toronto Act</i> (subsection 129(4)) and <i>Ontario Heritage Act</i> (subsections 34.1(1), 42(6)) matters	3A & 3B
<input type="checkbox"/>	Appeal of <i>Clean Water Act, Environmental Protection Act, Nutrient Management Act, Ontario Water Resources Act, Pesticides Act, Resource Recovery and Circular Economy Act, Safe Drinking Water Act, Toxics Reduction Act, and Waste Diversion Transition Act</i> matters	4A
<input type="checkbox"/>	Application for Leave to Appeal under the <i>Environmental Bill of Rights, 1993</i>	4B
<input type="checkbox"/>	Appeal under the <i>Niagara Escarpment Planning and Development Act (NEPDA)</i>	5A
<input type="checkbox"/>	Application to amend the <i>Niagara Escarpment Plan</i>	5B
<input type="checkbox"/>	Appeal of <i>Conservation Authorities Act, Mining Act, Lakes and Rivers Improvement Act, Assessment Act, and Oil, Gas and Salt Resources Act</i> matters	6
<input type="checkbox"/>	Legislation not listed above	Contact OLT before filing your appeal

**Section 3A – Planning Matters**

**Appeal Reasons and Specific Information**

**Number of new residential units proposed:**

**545**

**Municipal Reference Number(s):**

**Municipal File No. FC-19-105**

List the reasons for your appeal:

**Please see attached covering letter.**

Has a public meeting been held by the municipality?      Yes     No

For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you will rely on one or more of the following grounds:

A: A decision of a Council or Approval Authority is:

- Inconsistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*
- Fails to conform with or conflicts with a provincial plan
- Fails to conform with an applicable Official Plan

**And**

B: For a non-decision or decision to refuse by council:

**Appendix “D” to Report PED22022  
Page 9 of 15**

<input checked="" type="checkbox"/> Consistency with the provincial policy statement, issued under subsection 3(1) of the <i>Planning Act</i> <input checked="" type="checkbox"/> Conformity with a provincial plan <input checked="" type="checkbox"/> Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan If it is your intention to argue one or more of the above grounds, please explain your reasons:
<p><b>Please see attached covering letter.</b></p>

<b>Oral/Written submissions to council</b>
Did you make your opinions regarding this matter known to council?
<input type="checkbox"/> Oral submissions at a public meeting of council
<input type="checkbox"/> Written submissions to council
<input checked="" type="checkbox"/> Not applicable

<b>Related Matters</b>
Are there other appeals not yet filed with the Municipality?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there other matters related to this appeal? (For example: A consent application connected to a variance application).
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, please provide the Ontario Land Tribunal Case Number(s) and/or Municipal File Number(s) for the related matters:

<b>Section 3B – Other Planning Matters</b>
<b>Appeal Specific Information (Continued)</b>
Date application submitted to municipality if known (yyyy/mm/dd):
Date municipality deemed the application complete if known (yyyy/mm/dd):
Please briefly explain the proposal and describe the lands under appeal:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <a href="#">Section 3B Checklist(s)</a> located <a href="#">here</a> and submit all documents listed.

<b>Section 4A – Appeals under Environmental Legislation</b>
<b>Appeal Specific Information</b>
Outline the grounds for the appeal and the relief requested:

**Appendix “D” to Report PED2022  
Page 10 of 15**

Reference Number of the decision under appeal:	
Portions of the decision in dispute:	
Date of receipt of Decision or Director's Order (yyyy/mm/dd):	
Applying for Stay? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, outline the reasons for requesting a stay: (Tribunal's Guide to Stays can be viewed <a href="#">here</a> )	
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <a href="#">Section 4A Checklist(s)</a> located <a href="#">here</a> and submit all documents listed on the checklist.	
<b>Section 4B – Environmental Application for Leave to Appeal</b>	
Are you filing an Application for Leave to Appeal under the <i>Environmental Bill of Rights, 1993</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Identify the portions of the instrument you are seeking to appeal:	
Identify the grounds you are relying on for leave to appeal. Your grounds should include reasons why there is good reason to believe that no reasonable person, having regard to the relevant law and to any government policies developed to guide decisions of that kind could have made the decision; and why the decision could result in significant harm to the environment:	

**Appendix “D” to Report PED2022  
Page 11 of 15**

Outline the relief requested:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <a href="#">Section 4B Checklist(s)</a> located <a href="#">here</a> and submit all documents listed on the checklist.

**Section 5A – Appeal regarding Development Permit Application under the *Niagara Escarpment Planning and Development Act***

<b>Appeal Specific Information</b>
Development Permit Application File No:
Name of Applicant for Development Permit:
Reasons for Appeal: Outline the nature and reasons for your appeal. Specific planning, environmental and/or other reasons are required. (The Niagara Escarpment Plan is available on the Niagara Escarpment Commission's website ( <a href="http://www.escarpment.org">www.escarpment.org</a> ))

**Section 5B – Application to amend the *Niagara Escarpment Plan***

<b>Owner</b>			
Last Name:		First Name:	
Email Address:			
Daytime Telephone Number:		Alternative Telephone Number:	
		ext.	
Mailing Address			
Unit Number:	Street Number:	Street Name:	P.O. Box:
City/Town:	Province:	Country:	Postal Code:

<b>Property Location &amp; Information</b>			
Municipality:		Street Number:	Street Name:
Lot:	Concession:	<b>And/or</b>	Lot: Plan:
Assessment Roll Number or PIN:		Lot Size:	

<b>Property Servicing</b>			
Existing Road Frontage:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private	Proposed Road Frontage: <input type="checkbox"/> Municipal <input type="checkbox"/> Private
Existing Water	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private	Proposed Water <input type="checkbox"/> Municipal <input type="checkbox"/> Private



**Appendix “D” to Report PED2022  
Page 12 of 15**

Supply: Existing Sewage Disposal: <input type="checkbox"/> Municipal <input type="checkbox"/> Private	Supply: Proposed Sewage Disposal: <input type="checkbox"/> Municipal <input type="checkbox"/> Private
<b>Is the Proposal the Subject of a Current Application? Please identify:</b> <input type="checkbox"/> Development Permit under <i>Niagara Escarpment Planning and Development Act</i> <input type="checkbox"/> The <i>Planning Act</i> (Official Plan or Zoning By-law Amendment) <input type="checkbox"/> The <i>Aggregate Resources Act</i> (License) <input type="checkbox"/> Committee of Adjustment (Minor Variance) <input type="checkbox"/> Land Division Committee (Severance) <input type="checkbox"/> Other:	
<b>Description of the Property</b> Describe the current use of the property including any existing buildings or structures:    	
<b>Category of the Proposed Amendment</b> <input type="checkbox"/> Change in Designation <input type="checkbox"/> Change to Policy <input type="checkbox"/> Request for Urban Servicing <input type="checkbox"/> Change to Plan Boundary <input type="checkbox"/> Other:	
<b>Detailed Description of Proposed Amendment</b> Provide a detailed description of the proposed amendment:    	
<b>Justification and Rationale</b> (Including Reasons, Argument and Evidence in Support of the Amendment) (See Niagara Escarpment Plan Amendment Guidelines) The justification submitted with the application should address the following: <ol style="list-style-type: none"> <li>1. Analysis of how the proposed amendment is consistent with the <i>Niagara Escarpment Planning and Development Act</i>, the Niagara Escarpment Plan, and shall be consistent with other relevant Provincial plans.</li> <li>2. A justification which includes the rationale for the amendment, as well as reasons, arguments or evidence in support of the change to the Plan proposed through the amendment.</li> </ol> The following studies and reports may be necessary to be submitted in support of justification of the proposed amendment (The applicability of the following will depend on the nature of the application): <ul style="list-style-type: none"> <li><input type="checkbox"/> Agricultural Land Use Impacts</li> <li><input type="checkbox"/> Air Quality Impact Assessment</li> <li><input type="checkbox"/> Engineering Reports</li> <li><input type="checkbox"/> Environmental Impact Study</li> <li><input type="checkbox"/> Geological Studies</li> <li><input type="checkbox"/> Grading Plans – Existing and proposed and Slope Stabilization Plans and Typical Cross Sections</li> <li><input type="checkbox"/> Historical/Cultural/Archeological Impact Assessment</li> </ul>	

**Appendix “D” to Report PED2022  
Page 13 of 15**

- Hydrogeological Impact Assessment
- Landscape/Visual Impact Analysis
- Noise Impact Assessment
- Setback from the Brow of the Escarpment
- Suitable for Septic Systems
- Traffic Impact Assessment
- Tree Removal/Planting including Berming and Landscaping
- Other:

#### Site Plan

Please attach an accurate Site Plan drawn to scale. The Site Plan may be drawn on a blank sheet; on an attached Survey, or by using mapping software (Ontario Make a Map etc.). The Site Plan must show existing features, such as, buildings and structures, streams, changes in grades, rock outcrops, driveways, forested areas and proposed uses to changes to the property or the features.

**NOTE:** For amendments regarding Mineral Resource Extraction Areas, please provide copies of the Site Plan as required by Regulation under the *Aggregates Resources Act*.

#### Section 6 – Mining Claim and Conservation Matters

##### Appeal Specific Information

List the subject Mining Claim Number(s) (for unpatented mining claims) and accompanying Townships, Areas and Mining Division(s) where mining claims are situated. List all “Filed Only” Mining Claims, if appropriate: (This is to be completed for *Mining Act* appeals only.)

List the Parcel and the Property Identifier Numbers (PIN), if rents or taxes apply to mining lands, if appropriate (mining claims only):

Provide the date of the Decision of the Conservation Authority or the Provincial Mining Recorder, as appropriate:

Provide a brief outline of the reasons for your application/appeal/review. If other lands/owners are affected, please include that information in the outline being provided below:

##### Respondent Information

Conservation Authority:

Contact Person:

Email Address:

Daytime Telephone Number:

Alternative Telephone Number:

ext.

Mailing Address or statement of last known address/general area they were living and name of local

## Appendix "D" to Report PED2022

Page 14 of 15

newspaper if address is not available			
Unit Number:	Street Number:	Street Name:	P.O. Box:
City/Town:	Province:	Country:	Postal Code:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <a href="#">Section 6 Checklist(s)</a> located <a href="#">here</a> and submit all documents listed on the checklist.			

## Section 7 – Filing Fee

## Required Fee

Please see the attached link to view the OLT Fee Chart.

Total Fee Submitted: **\$2,200.00**

Payment Method	<input type="checkbox"/>	Certified Cheque	<input type="checkbox"/>	Money Order	<input checked="" type="checkbox"/>	Lawyer's general or trust account cheque
	<input type="checkbox"/>	Credit Card				

If you wish to pay the appeal fee(s) by credit card, please check the box above and OLT staff will contact you by telephone to complete the payment process upon receipt of the appeal form.

If a request for a fee reduction is being requested, please pay the minimum filing fee for each appeal and complete/submit the [Fee Reduction request form](#).


Request for Fee Reduction form is attached (if applicable – see Appeal Form Guide for more information)

## Section 8 – Declaration (Mandatory)

## Declaration

I solemnly declare that all the statements and the information provided, as well as any supporting documents, are true, correct and complete.

By signing this appeal form below, I consent to the collection of my personal information.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
Nancy Smith		2021/10/26

Personal information or documentation requested on this form is collected under the authority of the *Ontario Land Tribunal Act* and the legislation under which the proceeding is commenced. All information collected is included in the Ontario Land Tribunal (OLT) case file and the public record in this proceeding. In accordance with the *Freedom of Information and Protection of Privacy Act* and section 9 of the *Statutory Powers Procedure Act*, all information collected is available to the public subject to limited exceptions.

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator at [OLT.Coordinator@ontario.ca](mailto:OLT.Coordinator@ontario.ca) or toll free at 1-866-448-2248 as soon as possible.

## Section 9 – Filing Checklists (Mandatory)

## Filing/Submitting your form and documentation

You must file your Appeal Form with the appropriate authority(s) by the filing deadline.

If the completed Section is:	Refer to the relevant checklist and submit all documents listed on the checklist when filing your Appeal Form.
Section 3B	Review the Section 3B Checklist(s) and attach all listed documents.
Section 4A	Review the Section 4A Checklist(s) and attach all listed documents.
Section 4B	Review the Section 4B Checklist(s) and attach all listed documents.
If the completed Section is:	You must file with the following:
Section 3A	Municipality or the Approval Authority/School Board  *If you are filing under the <i>Ontario Heritage Act</i> , including under <b>s. 34.1(1)</b> , please carefully review the specific section of that legislation to determine if your

**Appendix “D” to Report PED22022**  
**Page 15 of 15**

	appeal needs to be filed with the Tribunal <b>in addition</b> to the Municipality or Approval Authority.	
Section 3A & 3B or Section 4A or Section 4B or Section 6	Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, ON M5G 1E5	Phone: 416-212-6349   1-866-448-2248 Website: <a href="http://www.olt.gov.on.ca">www.olt.gov.on.ca</a>
Section 5A or 5B	<p><b>For the Areas of:</b>  Dufferin County (Mono)  Region of Halton  Region of Peel  Region of Niagara  City of Hamilton</p> <p><b>File with:</b>  NIAGARA ESCARPMENT COMMISSION  232 Guelph Street, 3<sup>rd</sup> Floor  Georgetown, ON L7G 4B1  Phone: 905-877-5191  Fax: 905-873-7452  Website: <a href="http://www.escarpment.org">www.escarpment.org</a>  Email: <a href="mailto:necgeorgetown@ontario.ca">necgeorgetown@ontario.ca</a></p>	<p><b>For the Areas of:</b>  Bruce County  Grey County  Simcoe County  Dufferin County (Mulmur, Melancthon)</p> <p><b>File with:</b>  NIAGARA ESCARPMENT COMMISSION  1450 7<sup>th</sup> Avenue  Owen Sound, ON N4K 2Z1  Phone: 519-371-1001  Fax: 519-371-1009  Website: <a href="http://www.escarpment.org">www.escarpment.org</a>  Email: <a href="mailto:necowensound@ontario.ca">necowensound@ontario.ca</a></p>

**NOTE:** Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal).

**NOTE:** Relevant portions of the applicable legislation should be reviewed before submitting this form. Please ensure that a copy of this Appeal Form is served in accordance with the requirements of the applicable legislation.



Hamilton

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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 1, 2022
<b>SUBJECT/REPORT NO:</b>	Status Update for Site Plan Control Application DA-19-020, for Lands Located at 310 Frances Avenue (PED19115(a)) (Ward 10)
<b>WARD(S) AFFECTED:</b>	Ward 10
<b>PREPARED BY:</b>	Melanie Schneider (905) 546-2424 Ext. 1224
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**COUNCIL DIRECTION**

On April 24, 2019, Council adopted the following motion:

- (a) That staff be directed to report back to the Planning Committee on the proposed development on the subject property, 310 Frances Avenue, with the Minutes of the Design Review Panel, and any studies required for future Site Plan approval, with staff recommendations for consideration by the Planning Committee;
- (b) That staff consult with the Ward Councillor to provide proper public notice.

Staff presented Report PED19115 to Planning Committee on May 14, 2019 providing recommendations for consideration, including direction that Site Plan Control Application DA-19-020 be referred back to the applicant for revisions. In addition, Planning Committee indicated that future updates regarding the Site Plan Control application be provided to the Committee for consideration at future meetings.

---

OUR Vision: To be the best place to raise a child and age successfully.

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: Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue (PED19115(a)) (Ward 10) - Page 2 of 6**

---

**INFORMATION**

**Initial Site Plan Submission**

Site Plan Control Application DA-19-020 was submitted by GSP Group Inc. (applicant) on behalf of New Horizons Development Group (Waterfront) Ltd. (owner) on December 20, 2018 for lands located at 310 Frances Avenue, Stoney Creek (see Appendix “A” attached to Report PED19115(a)) for the development of a multiple dwelling comprised of three towers being 48, 54, and 59 storeys in height with 952 sq. m floor plates, 2,409 parking spaces within a four storey parking podium and two levels of underground parking, 400 sq. m of commercial gross floor area, and a total of 1,836 dwelling units (see Appendix “B” attached to Report PED19115(a)). This proposal was presented to the Design Review Panel on April 11, 2019 and staff comments were presented to the Applicant at the Development Review Team (DRT) Meeting on April 24, 2019.

Staff’s comments generally identified the following concerns based on the initial submission:

- The proposal did not implement the policies of the Urban Hamilton Official Plan;
- Insufficient information was available to demonstrate adequate sanitary and watermain services for the scale of development;
- Shadow, overlook, and privacy concerns for existing surrounded uses were not addressed; and,
- Transitions in building massing and height were not adequate.

The proposal did not conform to the Stoney Creek Zoning By-law No. 3692-92 as follows:

- A parking ratio of 1.25 spaces per unit were proposed instead of the minimum required 1.5 spaces per residential unit. A total of 2,763 parking spaces would be required for the residential component whereas 2,387 spaces were proposed for residential uses and 22 parking spaces proposed for commercial uses;
- A minimum rear yard of 3.0 metres is required whereas 0.68m was proposed for Tower 1, being the most easterly tower;
- Amenity space of 33,169.30 sq. m, with 1,806 sq. m of outdoor space was proposed instead of the minimum required 55,031 sq. m of amenity space with 5,503 sq. m of outdoor space;
- Accessory residential uses including residential parking and amenity areas were proposed on the ground floor, whereas all residential uses are required above commercial uses;
- Twenty percent of the lot area was devoted to landscaped open space whereas a minimum of 50% open landscaped area was required;

**SUBJECT: Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue (PED19115(a)) (Ward 10) - Page 3 of 6**

---

- Minimum 5.0 m wide landscape strips abutting North Service Road, Frances Avenue, as required, were not provided; and,
- A 3.6 m wide landscape strip was provided abutting the stormwater channel whereas a minimum 9.0 m wide strip is required.

As staff had concerns with the proposal as submitted, Conditional Site Plan Approval was not granted.

### **Second Site Plan Submission**

On April 2, 2020, the applicants submitted a revised proposal with the following modifications (see Appendix “C” attached to Report PED19115(a)):

- Tower heights were adjusted to 47, 52, and 59 storeys with the same unit count of 1836 units;
- Tower floor plates adjusted from 952 sq. m to 842 sq. m;
- Commercial gross floor area increased to 1,220 sq. m;
- Parking was increased for a total of 2,445 parking spaces; and,
- Parking podium increased to six storeys with a reduced footprint.

Staff comments identified the following concerns, amongst others, with the resubmission. Based on a review of the revised proposal, the Applicant was advised that:

- The Traffic Impact Study and Parking Study prepared by Paradigm Transportation Solutions, dated April 2020 was not prepared in accordance with terms of reference provided by the Ministry of Transportation or the City’s Transportation Planning staff;
- The Parking Study provided comparison and analysis of lands subject to different zoning requirements and zoning By-laws that were not comparable to the Mixed Use Commercial “MUC-4” Zone or scale of development proposed;
- The proposed private driveway access over the storm channel would require the approval of an Environmental Impact Study and would require a successful Zoning By-law Amendment Application as the channel is subject to the Conservation / Hazard Lands (P5) Zone. This Zone does not permit structures for residential access;
- The Noise Study did not address previous staff comments, and a Wind Study had not been revised to ensure that the proposed towers would not result in adverse impacts at the ground level or negatively affect the amenity areas.

The zoning review identified the following non-conformities to the Zoning By-law:

**SUBJECT: Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue (PED19115(a)) (Ward 10) - Page 4 of 6**

---

- A total of 33,109 sq. m of amenity space, 2,094 sq. m of which are located outdoors was proposed whereas 40,608 sq. m of amenity space is required with 4,060 sq. m to be located outdoors;
- A total of 38% of landscaped open space was proposed whereas 50% is required;
- No landscape strips surrounding Tower 1 were proposed and a minimum 1.0 m wide landscape strip was proposed abutting Green Road, whereas a minimum of 5.0 m wide landscape strips is required abutting all streets;
- A 3.6 m wide landscape strip was provided abutting the stormwater channel whereas a 9.0 m wide strip is required;
- A total of 2,387 residential parking and 39 commercial parking spaces were proposed whereas 2,754 residential spaces are required. Commercial parking requirements could not be determined as the specific uses were not provided; and,
- Parallel parking spaces proposed dimensions of 3.0 m by 6.0 m whereas dimensions of 2.75 m by 6.7 m are required.

As staff continued to have concerns with the proposal, Conditional Site Plan Approval was not granted.

### **Informal Site Plan Resubmission**

On March 16, 2021, staff were presented with a high level, conceptual revision to the site plan with the following key changes to the project:

- Maximum height of 39 storeys for all three towers;
- Reduction in the number of dwelling units to 1,346;
- A reduction of amenity space by 50% compared to the second submission; and,
- Parking reduction to 1.3 spaces per unit.

Staff were not provided the appropriate technical studies and reports, such a traffic study, to assist the City to complete a detailed review of the proposed development (see Appendix "D" attached to Report PED19115(a)). Based on the previous materials provided and the high-level changes proposed, staff identified similar concerns as with the previous submission. For example, the data provided to support the parking reduction was based on development in the overall Stoney Creek community. The data did not consider areas in Stoney Creek without access to transit.

On January 14, 2002, the Site Plan was appealed to the OLT.

### **Minor Variance Application SC/A-21:346**

On September 17, 2021, the Applicants submitted a Minor Variance Application to the Committee of Adjustment for variances outlined in Appendix "E" attached to Report



**SUBJECT: Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue (PED19115(a)) (Ward 10) - Page 5 of 6**

---

PED19115(a). The Application was scheduled for a hearing on October 21, 2021. Staff comments to the Committee of Adjustment recommended denial of the Application (attached as Appendix “E” to Report PED19115(a)). In response to the concerns from staff, the Ward Councillor and the public, the Application was tabled until a neighbourhood meeting was held to outline the proposal and to discuss the requested variances with the public.

The neighbourhood meeting, hosted by the Applicant, was held on November 18, 2021. City staff and the Ward Councillor attended the meeting to observe the presentation and discussion (see Appendix “F” attached to Report PED19115(a)).

The Minor Variance Application was considered by the Committee of Adjustment at its Hearing held on December 9, 2021 with slight modifications to the proposal based on the preliminary comments issued for the October 21, 2021 meeting. The revised variances are outlined in Appendix “E” attached to Report PED19115a. The Committee of Adjustment denied all variances as the Committee was not satisfied that the variances met the four tests of the *Planning Act*.

The decision from the Committee of Adjustment was appealed to the Ontario Land Tribunal (OLT) by the Applicants on December 21, 2021 (see Appendix “G” attached to Report PED19115(a)). City staff will be attending the OLT Hearing to defend this denial.

### **Third Site Plan Resubmission**

On December 16, 2021, a third detailed submission was received proposing the following (see Appendix “H” attached to Report PED19115(a)):

- Towers reduced to 44, 38, and 33 storeys in height;
- Parking podium of five storeys, unchanged from the previous design;
- Reduction in the number of units for a total of 1,346 dwelling units;
- 1,220 sq. m of commercial GFA;
- A total of 1,732 and four parallel parking spaces, 47 of which were devoted to commercial uses, 177 spaces for visitor parking, two for car share spaces, and the remaining 1,506 for residential parking; and,
- Amenity space being 11,943 sq. m, 1,562 sq. m of which was to be located indoors.

These modifications did not address the previous concerns from staff regarding meeting the intent of the Stoney Creek Zoning By-law No. 3692-92. Staff denied the Site Plan Control application on December 21, 2021 (see Appendix “I” attached to Report PED19115(a)). As per Sections 41(12) and (12.01) of the *Planning Act*, an appeal to the OLT may only be submitted if the municipality fails to approve the plans and

**SUBJECT: Status Update for Site Plan Control Application DA-19-020 for Lands  
Located at 310 Frances Avenue (PED19115(a)) (Ward 10) - Page 6 of 6**

---

drawings within 30 days after they are submitted or if the owner is not satisfied with the requested conditions.

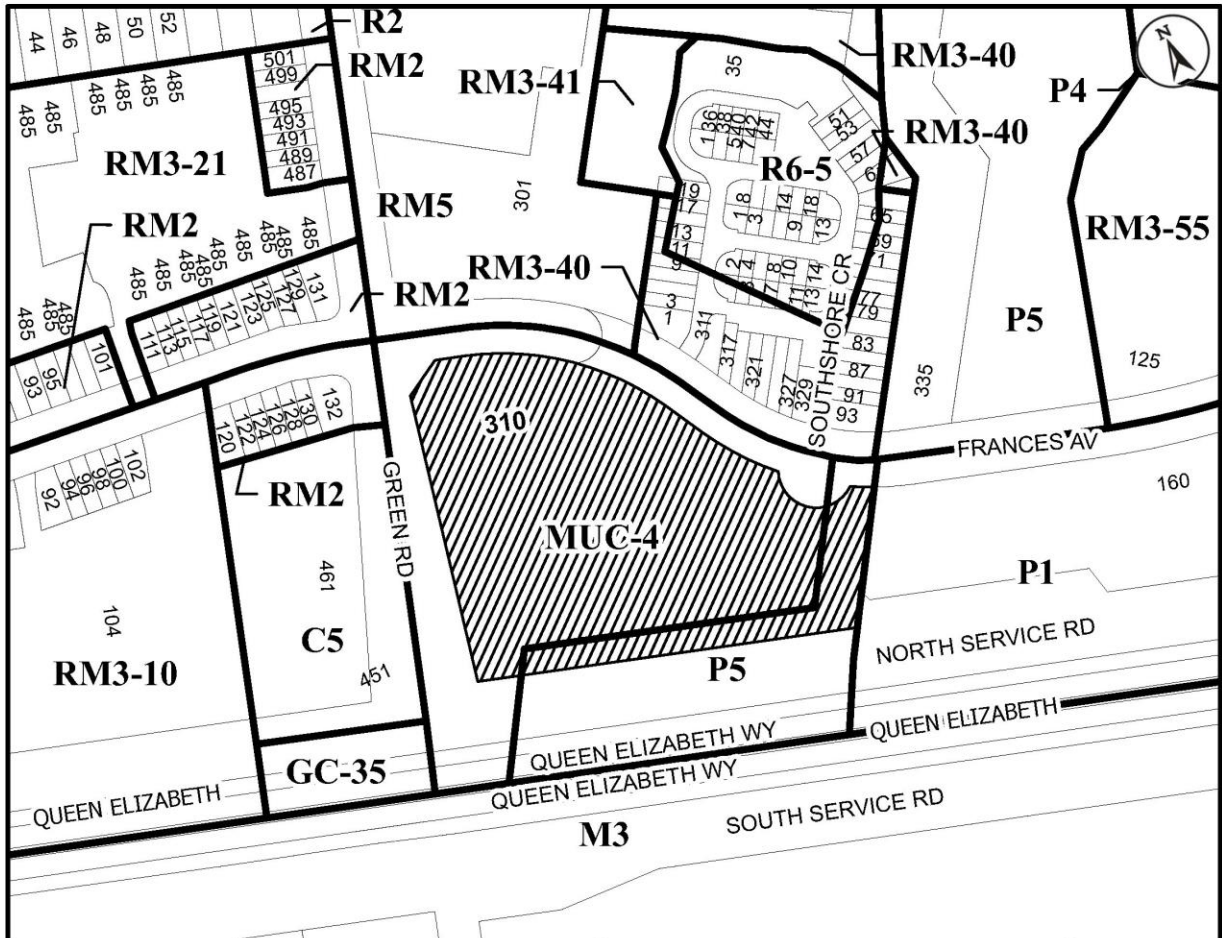
**PUBLIC CONSULTATION**

Throughout the review of this Application, staff received correspondence from the public related to the proposal. All correspondence from the public received after the April 24, 2019 Planning Committee was opposed to the development proposal and is attached as Appendix "J" to Report PED19115(a).

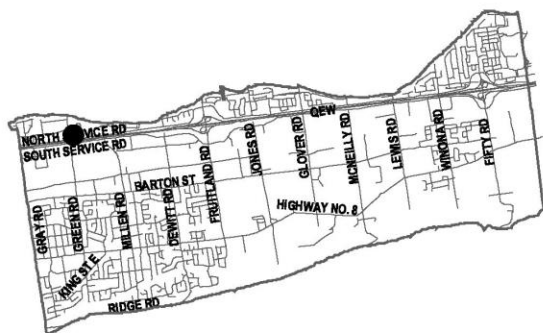
**APPENDICES AND SCHEDULES ATTACHED**

- Appendix "A" – Location Map
- Appendix "B" – Initial Site Plan
- Appendix "C" – Second Site Plan
- Appendix "D" – Informal Concept Plan
- Appendix "E" – Minor Variance Notices and Staff Recommendation
- Appendix "F" – Notice of Public Consultation
- Appendix "G" – Minor Variance Appeal
- Appendix "H" – Third Site Plan
- Appendix "I" – Denial Letter
- Appendix "J" – Public Input

MS:sd



● Site Location



Key Map - Ward 10

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
DA-19-020

Date:  
December 23, 2021

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
MS/VS

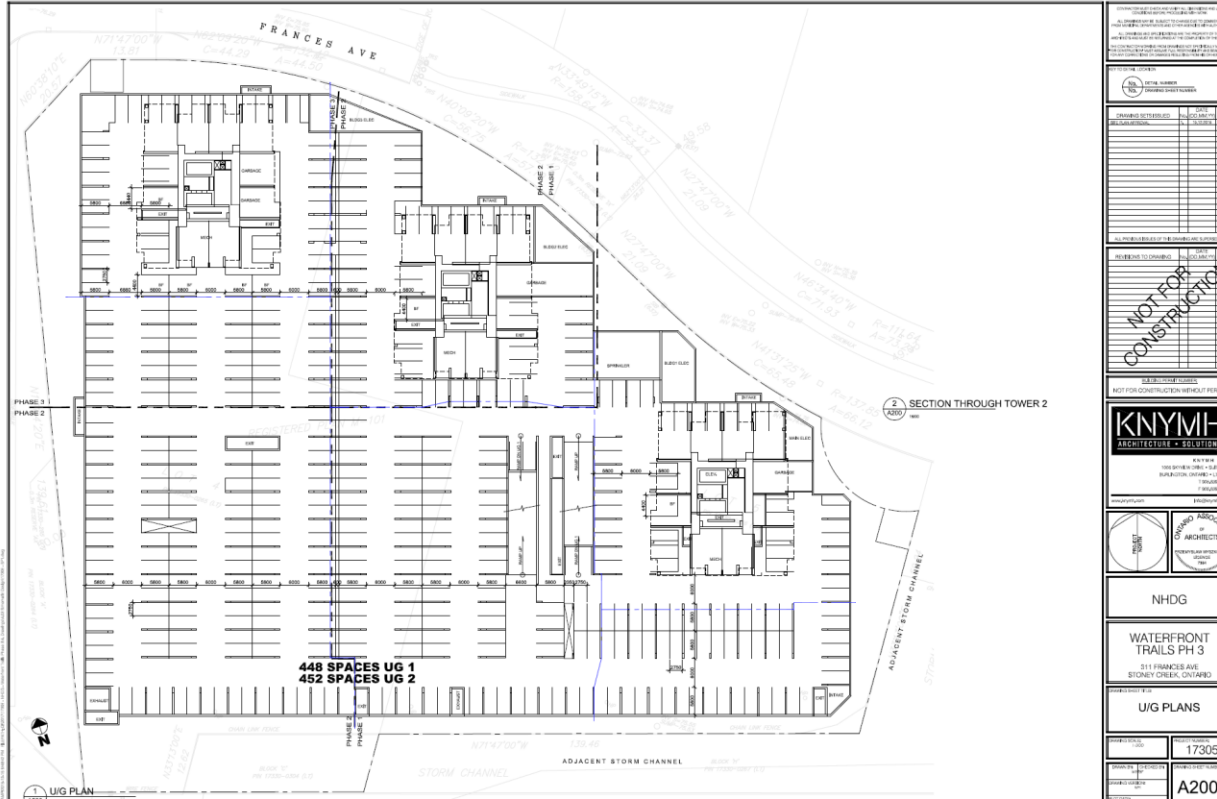
### Subject Property



310 Frances Avenue, Stoney Creek  
(Ward 10)



Appendix "B" to Report PED19115(a)  
Page 2 of 4



<small>KNYMH ARCHITECTURE • SOLUTIONS</small> <small>1000 SHEPPARD AVENUE EAST, SUITE 1000, SCARBOROUGH, ONTARIO M1B 3Y1</small> <small>TEL: (416) 291-1111</small> <small>WWW.KNYMH.COM</small>	
<b>NOT FOR CONSTRUCTION</b>	
<small>KNYMH ARCHITECTURE • SOLUTIONS</small> <small>1000 SHEPPARD AVENUE EAST, SUITE 1000, SCARBOROUGH, ONTARIO M1B 3Y1</small> <small>TEL: (416) 291-1111</small> <small>WWW.KNYMH.COM</small>	
<b>NHDG</b>	
<b>WATERFRONT TRAILS PH 3</b> <small>311 FRANCES AVE</small> <small>STONEY CREEK, ONTARIO</small>	
<b>UG PLANS</b>	
<small>DATE:</small>	<small>17305</small>
<small>SCALE:</small>	<small>A200</small>



<small>KNYMH ARCHITECTURE • SOLUTIONS</small> <small>1000 SHEPPARD AVENUE EAST, SUITE 1000, SCARBOROUGH, ONTARIO M1B 3Y1</small> <small>TEL: (416) 291-1111</small> <small>WWW.KNYMH.COM</small>	
<b>NOT FOR CONSTRUCTION</b>	
<small>KNYMH ARCHITECTURE • SOLUTIONS</small> <small>1000 SHEPPARD AVENUE EAST, SUITE 1000, SCARBOROUGH, ONTARIO M1B 3Y1</small> <small>TEL: (416) 291-1111</small> <small>WWW.KNYMH.COM</small>	
<b>NHDG</b>	
<b>WATERFRONT TRAILS PH 3</b> <small>311 FRANCES AVE</small> <small>STONEY CREEK, ONTARIO</small>	
<b>GROUND LEVEL PLAN</b>	
<small>DATE:</small>	<small>17305</small>
<small>SCALE:</small>	<small>A201</small>







Appendix "B" to Report PED19115(a)  
Page 4 of 4

**1 SOUTH ELEVATION**

**NOT FOR CONSTRUCTION**

**KNYMH ARCHITECTURE + SOLUTIONS**

17305  
A402

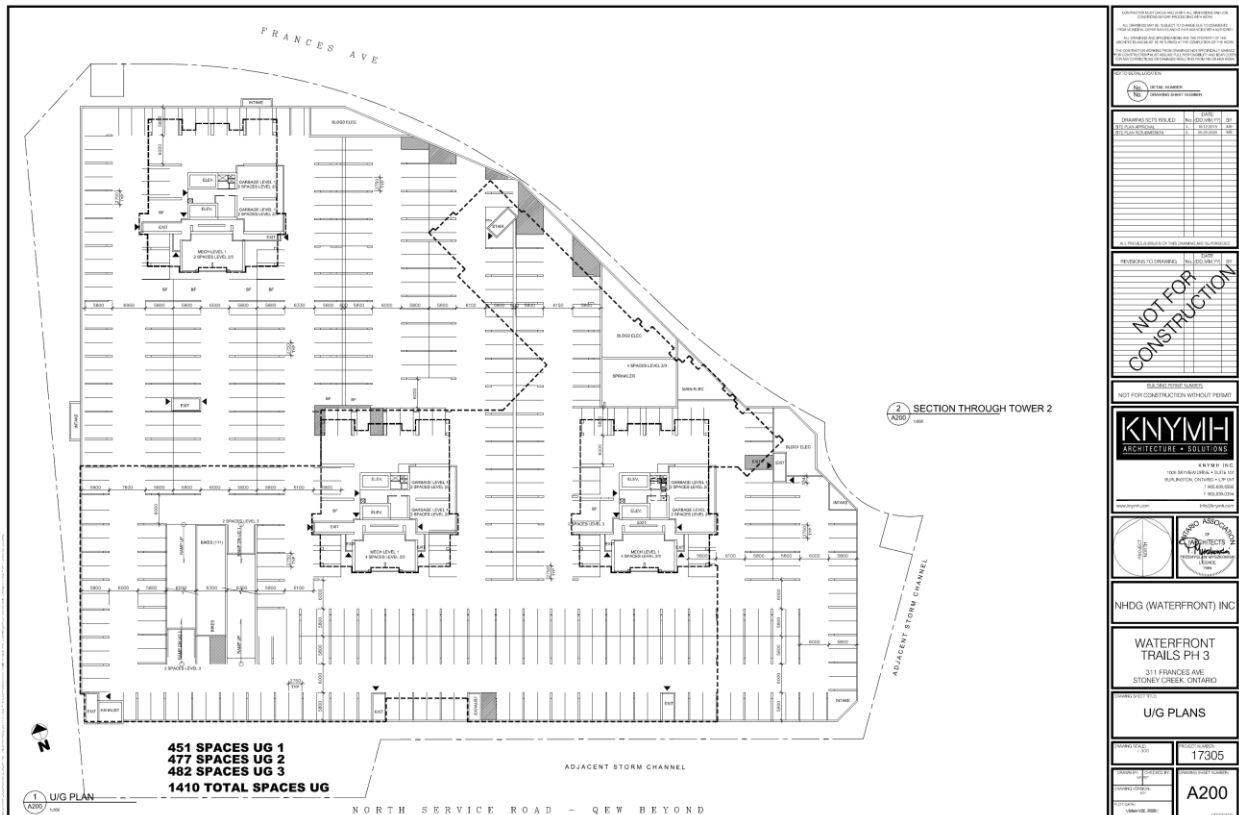
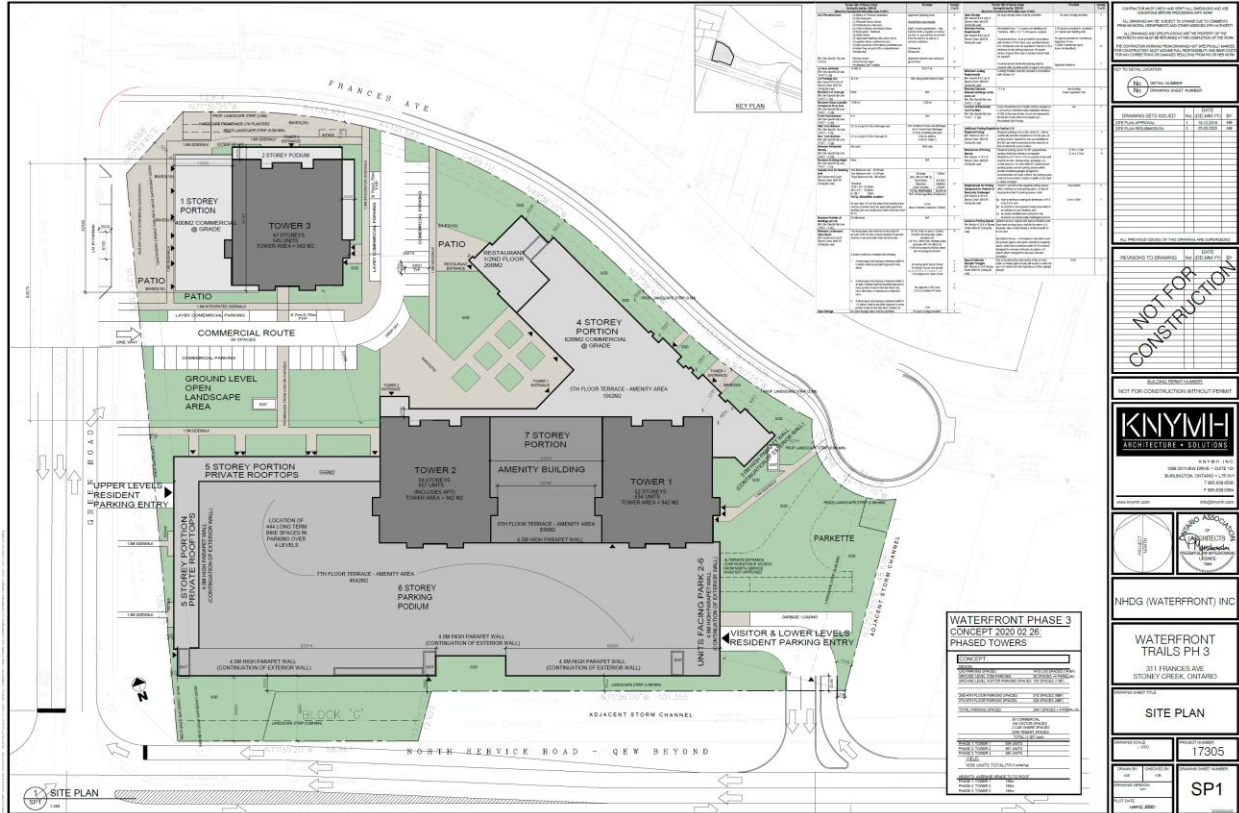
**1 WEST ELEVATION**

**NOT FOR CONSTRUCTION**

**KNYMH ARCHITECTURE + SOLUTIONS**

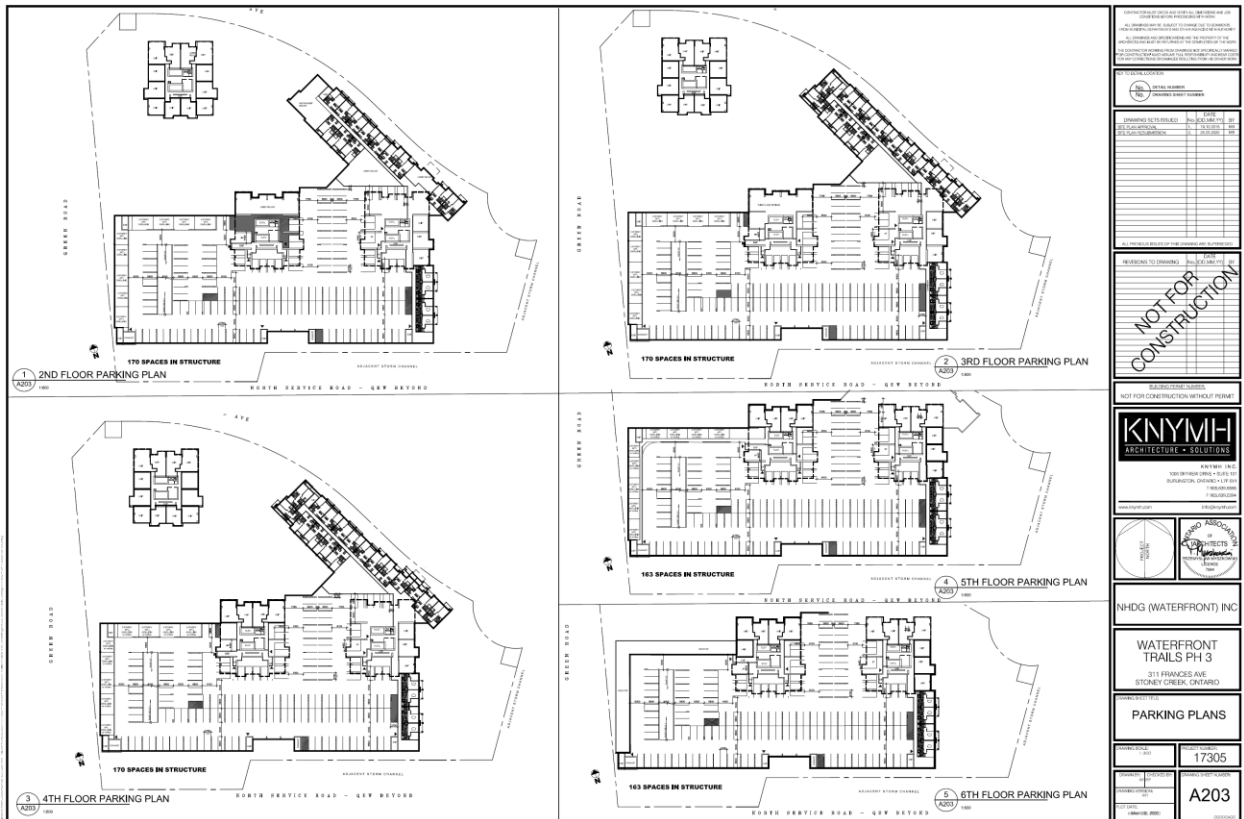
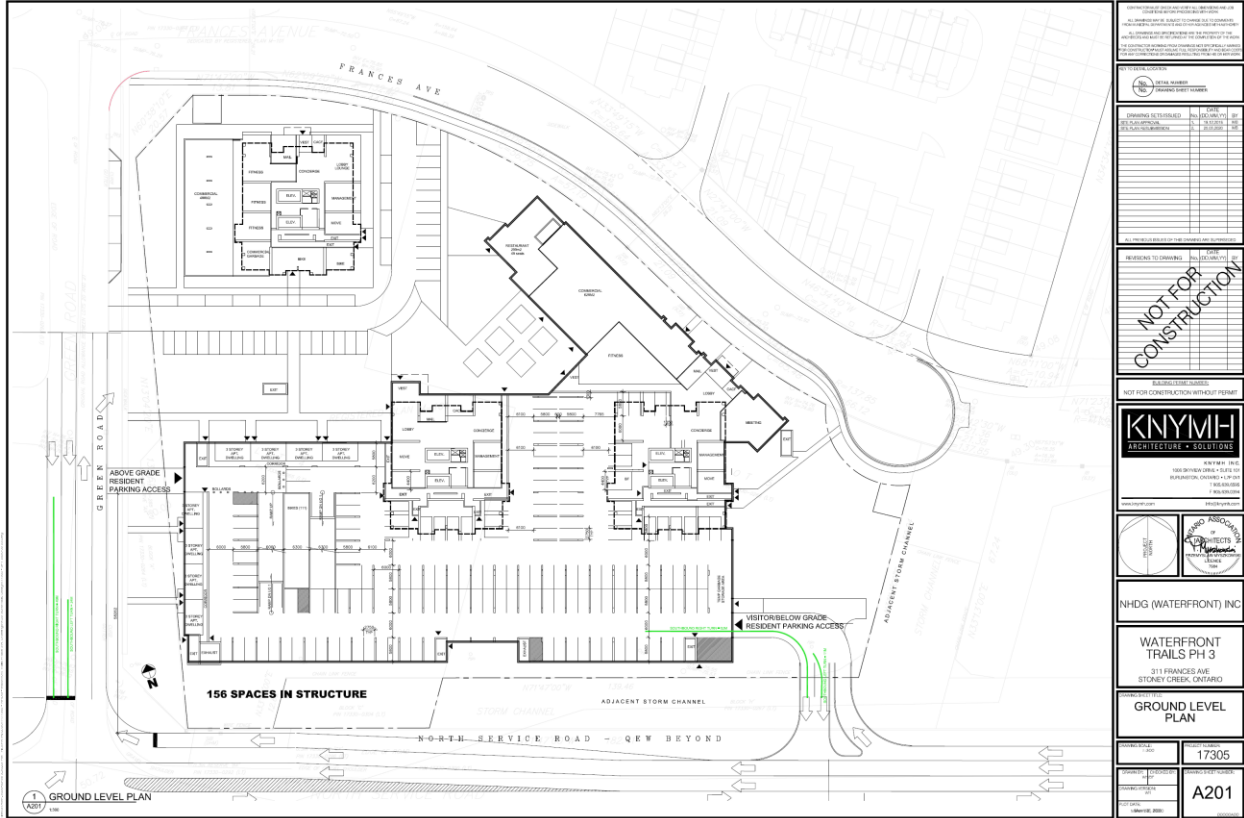
17305  
A403

Appendix "C" to Report PED19115(a)  
Page 1 of 4





Appendix "C" to Report PED19115(a)  
Page 2 of 4





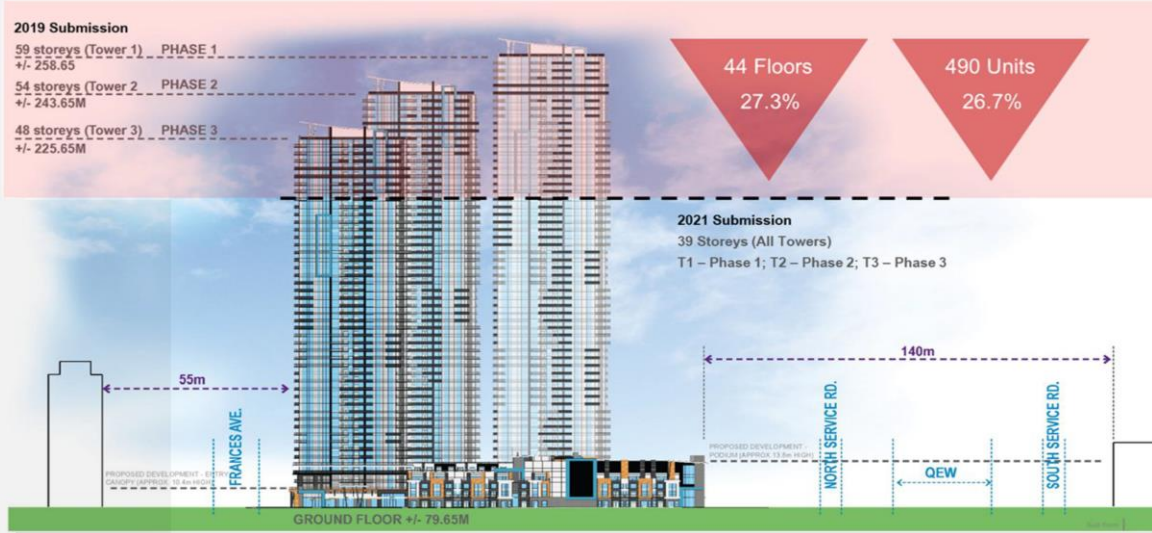




Appendix "D" to Report PED19115(a)  
Page 1 of 1



BUILT FORM



**Appendix "E" to Report PED19115(a)**  
**Page 1 of 19**



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

<b>APPLICATION NO.:</b>	<b>SC/A-21:346</b>
<b>APPLICANTS:</b>	Agent GSP Group c/o J. Liberatore Owner NHDG (Waterfront) Inc.
<b>SUBJECT PROPERTY:</b>	Municipal address <b>310 Frances Ave., Stoney Creek</b>
<b>ZONING BY-LAW:</b>	Zoning By-law Stoney Creek 3692-92 and Hamilton Zoning By-law 05-200, as Amended
<b>ZONING:</b>	"MUC-4 & P5" (Mixed Use Commercial & Conservation/Hazard Lands) district
<b>PROPOSAL:</b>	To permit the construction of a new mixed-use development consisting of three (3) residential towers above ground floor commercial uses notwithstanding that: <ol style="list-style-type: none"> <li>1. Accessory and communal areas related to a residential use (which may include: amenity areas, fitness areas, meeting rooms, bike/vehicle parking areas, lobbies and mail areas) shall be permitted on the ground floor level whereas the by-law only permits residential uses to be located above a commercial use.</li> <li>2. The amenity area required for each one-bedroom dwelling unit shall be provided at a rate of 8.8m<sup>2</sup> per unit instead of the minimum required amenity area of 18.0m<sup>2</sup> per unit.</li> <li>3. The amenity area required for each two-bedroom dwelling unit shall be provided at a rate of 8.8m<sup>2</sup> per unit instead of the minimum required amenity area of 53.0m<sup>2</sup> per unit.</li> <li>4. A minimum of 36% of the lot area shall be comprised of landscaped open space instead of the minimum required 50%.</li> <li>5. Where parking spaces abut a street, a landscaped strip being 3.0m wide shall be provided between the parking spaces and the street line instead of the minimum 5.0m wide landscaped strip being required along a street.</li> <li>6. A landscape strip being 3.5m wide shall be provided abutting the P5 zone instead of the minimum 9.0m wide landscape strip required to be provided abutting any non-commercial or non-industrial zoned lands.</li> <li>7. Pedestrian walkways and vehicular driveways shall be permitted to cross a required landscape strip.</li> <li>8. Parking for apartment dwelling units shall be provided at a rate of 1.25 parking spaces per dwelling unit instead of the minimum required 1.5 parking spaces per unit.</li> </ol>

.../2



**Appendix "E" to Report PED19115(a)**  
**Page 2 of 19**

SC/A-21: 346  
Page 2

**NOTES:**

These variances are necessary to facilitate Site Plan Control Application DA-19-020. Please be advised that floor plans and elevations drawings have not been submitted as part of this Minor Variance application, therefore a comprehensive zoning review could not be completed at this time. As such, variances have been written as requested by the applicant. The applicant shall ensure that all other zoning regulations as noted in previous Building Division comments for DA-19-020 can be complied with

This application will be heard by the Committee as shown below:

---

**DATE:** Thursday, October 21st, 2021  
**TIME:** 2:00 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

---

**PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**MORE INFORMATION**

For more information on this matter, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: October 5th, 2021.

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

*Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.*

**Appendix “E” to Report PED19115(a)**  
**Page 3 of 19**

October 21st, 2021

**SC/A-21:346 – 310 Frances Ave., Stoney Creek**

**PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT**

**Development Planning – Suburban**

The purpose of this application is to permit the construction of three high-rise mixed-use buildings which contain residential dwelling units, indoor and outdoor parking, and ground floor commercial units (See Table 1), notwithstanding the following variances:

1. That accessory and communal areas related to a residential use including: amenity areas, fitness areas, meeting rooms, bike/vehicle parking areas, lobbies and mail areas be permitted on the ground floor level, whereas Zoning By-law No. 3692-92 only permits residential uses and uses accessory to, to be located above a commercial use;
2. That an amenity area for each one-bedroom dwelling unit shall be provided at a rate of 8.8 m<sup>2</sup> per/unit, whereas Zoning By-law No. 3692-92 requires amenity area to be provided at a rate of 18.0 m<sup>2</sup>;
3. That an amenity area for each two-bedroom dwelling unit shall be provided at a rate of 8.8 m<sup>2</sup> per/unit, whereas Zoning By-law No. 3692-92 requires amenity area to be provided at a rate of 53.0 m<sup>2</sup>;
4. To permit a minimum lot area comprised of landscaping to be 36%, whereas Zoning By-law No. 3692-92 requires that 50% of the lot area be comprised of landscaping;
5. To provide a 3.0-metre-wide landscape strip along a lot line that abuts a street, whereas Zoning By-law No. 3692-92 requires a minimum 5.0-metre-wide landscape strip to be provided;
6. To provide a 3.5-metre-wide landscape strip abutting the Conservation/Hazard Land (P5) Zone, whereas Zoning By-law No. 3692-92 requires a minimum 9.0-metre-wide be provided;
7. To permit pedestrian walkways and vehicular driveways to cross a required landscape strip; and
8. That a parking rate of 1.25 parking spaces per dwelling unit be provided, whereas Zoning By-law No. 3692-92 requires a rate of 1.5 parking spaces per dwelling unit be provided.

**Appendix “E” to Report PED19115(a)**  
**Page 4 of 19**

**October 21st, 2021**

Background

Prior to the consideration of the current application **SC/A-21:346**, the subject lands received approval of a Zoning By-law Amendment (**By-law 10-027**) on February 10<sup>th</sup>, 2010. This amendment required several site-specific provisions which include: a minimum density of 585 units/hectare, no maximum cap on height, and no maximum limit to the number of buildings per lot. The proposed development is currently undergoing a Site Plan Control Process through application **DA-19-020**.

Urban Hamilton Official Plan Designation:

The subject lands are designated as “Neighbourhoods” in Schedule E – Urban Structure and designated as “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations in Volume 1 of the Urban Hamilton Official Plan (UHOP). Multiple dwellings and local commercial uses on the ground floor of buildings containing multiple dwellings within this designation are permitted (Volume 1 – E.3.6.2 and E.3.6.3).

Former City of Stoney Creek By-law No. 3692-92

The subject lands are classified as Mixed Use Commercial “MUC-4” Zone, modified which permits the use of Apartment Dwelling Units above commercial uses and accessory structures thereto, subject to applicable provisions.

City of Hamilton Zoning By-law No. 05-200

A portion of the subject lands are classified as Conservation/Hazard Land (P5) Zone which permits conservation, flood and erosion control facilities and passive recreation, subject to applicable provisions. The (P5) Zone applies to a water channel located at the south and east sides of the subject lands that is regulated by the Hamilton Conservation Authority.

Variance 1

Zoning By-law No. 3692-92 permits apartment dwelling units and uses accessory there to, to be above commercial uses. The intent provision is to ensure that residential uses are subordinate to the principal commercial uses, while safeguarding that an appropriate street presence and direct pedestrian connections for local commercial uses are maintained.

Staff are of the opinion that the proposed variance is premature as the applicant has not provided, as noted by Building Staff, the elevations and floor layouts which would give staff the ability to complete a wholesome and comprehensive review. Staff are not satisfied that the requested variance meets the four tests as the appropriate information



**Appendix “E” to Report PED19115(a)**  
**Page 5 of 19**

October 21st, 2021

has not been provided, therefore, staff recommend denial of the variance as requested, until such a time that floor plans and elevations are provided.

Variances 2 and 3

Zoning By-law No. 3692-92 requires that amenity space be provided at a rate of 18.0 m<sup>2</sup> and 53.0 m<sup>2</sup> for one-bedroom and two-bedroom dwelling units respectively. The intent of these provisions is to provide for communal indoor and outdoor amenity areas which supports the recreational needs of residents and visitors.

The applicant proposes to provide amenity space at a rate of 8.8 m<sup>2</sup> for both one-bedroom and two-bedroom dwelling units. The applicant is proposing a reduction of 10.2 m<sup>2</sup>/unit and 44.2 m<sup>2</sup>/unit respectively in order to provide a total of 16,157 m<sup>2</sup> of amenity area. In their analysis they note that “the very high amenity space standards in the ‘MUC’ Zone within [sic] the Stoney Creek Zoning-By-Law, which are high by historical standards and are also not in line with amenity space requirements for mixed use residential requirements in Zoning By-Law 05-200”. Staff note that Zoning By-law No. 05-200 is not in force and effect for the subject lands and the proposed development cannot be measured against those regulations.

While staff agree that these historical standards are particularly high, these provisions appear to have been put into place as a way of limiting the scale of residential development within the Mixed Use Commercial Zones, allowing for commercial uses to be predominate with residential being accessory in nature. Staff are of the opinion that the proposed relief is not in keeping with the intent of the Zoning By-law No. 3692-92. The requested variance is not minor in nature. Staff recommend that Variances 2 and 3 as requested be **Denied**.

Variance 4

Zoning By-law No. 3692-92 requires that 50% of the total lot area be comprised of landscaping and open space. The intent of this provision is to ensure that development does not completely overwhelm the lot, thereby allowing the lot to provide appropriate drainage, amenity space, and landscaping.

The applicant is proposing to reduce the required percentage of landscaped area to 36%. Staff does not support the requested reduction as the majority of the lot will be developed as hard surface. In the applicants’ analysis of the four tests, it is stated that,

“Minor can not only be contemplated through a numerical calculation, but also based on an analysis and potential impact to the subject site or surrounding area. This test is not purely one of numeracy but also one demonstrating that the variances, both individually and collectively, will not result in any unacceptable adverse impact, rather than no impact at all.”

Staff are of the opinion that the cumulative effect of the requested reductions to the required landscape strips and amenity areas in Variances 2-6, combined with the proposed increase of the lot coverage to 64% will collectively, result in unacceptable impacts on the surrounding neighbourhood. The intent of this provision also facilitates the

**Appendix “E” to Report PED19115(a)**  
**Page 6 of 19**

**October 21st, 2021**

intent of the amenity area and landscaping provisions which seek to both mitigate impact of a development on the surrounding area while providing for a higher quality of life for those that live and visit the proposed development. This purpose will be defeated if the landscaped area is reduced as requested. Variance 4 does not maintain the intent of the Zoning By-law.

Variance 5

Zoning By-law No. 3692-92 requires that a minimum 5-metre-wide planting strip shall be provided where a lot line abuts a street to ensure that the streetscape is not dominated by parking and to give a naturalized transition between the public and private realms.

The applicant is proposing to reduce the required landscape strip to 3.0 metres. The applicant has compared the proposed development on the subject lands with the landscape strip provided for the lands known as 461 Green Road. The applicant states: “the proposed development on the west side of Green Road was approved based on providing a 2.8m landscaped strip between the parking spaces. For the subject Site, the proposed 3.0m landscaped strip to parking areas will maintain a similar setback and contribute to a more cohesive streetscape”.

Staff disagree with this comparison as the proposed development of the subject lands is not of a comparable scale and is not subject to the Stoney Creek Zoning By-law No. 05-200. The development located at 461 Green Road is a single 14 storey mixed use building with a total density of 349 units/ha. The proposal for the subject lands consists of three buildings, that are three times the height and density of the approved development at 461 Green Road. Further, the relief granted for the landscape strips at 461 Green Road was reduced from 3.0 metres to 2.8 metres whereas, the provision of the Mixed Use Commercial “MUC-4” Zone requires a minimum landscape strip of 5.0 metres. This additional landscaping is required to soften the impact that the high density built-form will have on the surrounding land uses.

Staff is not satisfied that the proposed reduction is minor in nature, it does not maintain the intent of the UHOP nor the Stoney Creek Zoning By-law No. 3692-92. Staff are of the opinion that the evidence provided by the applicant comparing the reduced landscaping requirements to the adjacent lands is not an appropriate comparison as the zoning requirements for those lands are less stringent based on the intensity of use. Staff does not support the variance as requested.

Variance 6

Zoning By-law No. 3692-92 requires that a minimum 9-metre-wide planting strip shall be provided where a lot line abuts any non-commercial or non industrial lands. The intent of this provision is to ensure that there is naturalized transition between high density built form and surrounding sensitive land uses which contributes to appropriate amenity space and on-site drainage.

**Appendix “E” to Report PED19115(a)**  
**Page 7 of 19**

October 21st, 2021

The applicant proposes to provide a 3.5-metre-wide landscape strip for the lot line abutting the Conservation/Hazard Land (P5) Zone. In their justification the applicant states:

“The requested reduced landscaped strip width along the southern limits of the Site to another zone continues to maintain the general intent as the size and design of the blocks adjacent to the Site were established to facilitate the storm water design and was approved following a detailed vetting by the appropriate commenting agencies. Relief from this setback is not anticipated to create any compatibility issues, and appropriate design requirements, including sufficient landscaping within the requested landscaped strip can continue to be provided on Site. Through the site plan process, the civil engineering components have been reviewed and continue to be appropriately provided for the site based on the requested Minor Variances.”

Staff received comments from the Hamilton Conservation Authority (HCA) on October 14<sup>th</sup>, 2021 which indicated that they had recommended filling the subject site to an elevation of 0.79 metres and provide an appropriate setback from the “Stoney Creek Watercourse No.1” in order to prevent regular flooding. Based on the last site plan submitted to the HCA dated April 2020 it is not evident that the flood requirements have been addressed. Based on the most current information the HCA recommends that the application, as it pertains to Variance 6, is premature until a revised grading plan demonstrating an appropriate setback has been provided. Staff agree with the HCA and cannot consider this requested reduction until the appropriate information is provided. Staff recommend that Variance 6, as requested, be **Denied**.

#### Variance 7

Zoning By-law No. 3692-92 defines a landscape strip as “an area of land devoted solely to the growing of grass, ornamental shrubs or trees and may include fences and berms”.

The applicant is proposing that various pedestrian connections (walkways/sidewalks) be permitted to cross required landscape strips. As the design of the subject site has not been finalized staff are of the opinion that the variance as requested be denied. Consideration of this request is premature, as a redesign of the site could be required, effecting the proposed connections.

#### Variance 8

Zoning By-law No. 3692-92 requires that parking for residential dwelling units be provided at a rate of 1.5 spaces per unit. The intent of the minimum parking requirement is to provide enough parking spaces for both residents and visitors while ensuring that there is minimal spill over of parking on the surrounding streets. .

The applicant proposes to reduce the required parking ratio to 1.25 spaces per dwelling unit. The development as currently planned will contain 1836 dwelling units; at a rate of



**Appendix “E” to Report PED19115(a)**  
**Page 8 of 19**

October 21st, 2021

1.5 spaces per dwelling unit, the development would require a total of 2755 spaces (this calculation is for the dwelling units only and does not include the commercial component of the proposed development).

**Table 3**

Tower #	Number of Dwelling Units	Height of Tower	Required Parking for Residential Units 1.5 spaces/unit *Does not include commercial parking requirements*	Proposed Parking for Residential Units 1.25 spaces/unit *Does not include commercial parking requirements*
1	634	159 metres	951	793
2	657	180 metres	986	821
3	545	144 metres	818	681
Total	1836	N/A	2755	2295

As shown on the Table above, at a rate of 1.25 spaces per dwelling unit the total provided parking for residential uses would be 2295 parking spaces (a difference of 16.6% or 460 spaces). Staff can consider reductions in parking, where there are appropriate amenities and public transit within proximity to a development. It is staff's opinion that the proposed reduction is not minor in nature as the subject lands are underserved by public transit. There are no bus routes, proposed LRT lines, or GO Station within a walkable distance of the subject lands. Further, the reduction of 460 spaces representing a 16.6% decrease in required parking. Staff recommends Variance 8 be **Denied** as requested.

Recommendation:

Having regard for the matters under subsection 45(1) of the *Planning Act*, staff is of the opinion that the requested variances will have an adverse affect on the surrounding lands and streetscape. As such the proposed variances do not meet the purpose and intent of the Urban Hamilton Official Plan and Zoning By-law, the variances are not desirable for the appropriate development of the land and are not minor in nature. Staff recommends that variances, as outlined in the Notice of Hearing, be **Denied**.

**Appendix "E" to Report PED19115(a)**  
**Page 9 of 19**



**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

<b>APPLICATION NO.:</b>	<b>SC/A-21:346</b>
<b>APPLICANTS:</b>	Agent GSP Group c/o J. Liberatore Owner NHDG (Waterfront) Inc.
<b>SUBJECT PROPERTY:</b>	Municipal address <b>310 Frances Ave., Stoney Creek</b>
<b>ZONING BY-LAW:</b>	Zoning By-law Stoney Creek 3692-92 and Hamilton Zoning By-law 05-200, as Amended
<b>ZONING:</b>	"MUC-4 & P5" (Mixed Use Commercial & Conservation/Hazard Lands) district
<b>PROPOSAL:</b>	To permit the construction of a new mixed-use development consisting of three (3) residential towers above ground floor commercial uses notwithstanding that: <ol style="list-style-type: none"> <li>1. Accessory and communal areas related to a residential use (which may include; amenity areas, fitness areas, meeting rooms, bike/vehicle parking areas, lobbies and mail areas) shall be permitted on the ground floor level whereas the by-law only permits residential uses to be located above a commercial use.</li> <li>2. The amenity area required for each one-bedroom dwelling unit shall be provided at a rate of 8.8m<sup>2</sup> per unit instead of the minimum required amenity area of 18.0m<sup>2</sup> per unit.</li> <li>3. The amenity area required for each two-bedroom dwelling unit shall be provided at a rate of 8.8m<sup>2</sup> per unit instead of the minimum required amenity area of 53.0m<sup>2</sup> per unit.</li> <li>4. A minimum of 36% of the lot area shall be comprised of landscaped open space instead of the minimum required 50%.</li> <li>5. A landscape strip being 6.0m wide shall be provided abutting the P5 zone instead of the minimum 9.0m wide landscape strip required to be provided abutting any non-commercial or non-industrial zoned lands.</li> <li>6. Pedestrian walkways and vehicular driveways shall be permitted within a required landscape strip and landscaped open space and may also include the following: Servicing structures and fixtures, i.e. catch basins, manholes, valve boxes etc., Existing and proposed transformers, Traffic control signs, Light standards and fixtures, Armour stone landscape walls, Site and maintenance accesses and Rain Gardens and Infiltration (clear stone) Galleries.</li> <li>7. Parking for apartment dwelling units shall be provided at a rate of 1.25 parking spaces per dwelling unit instead of the minimum required 1.5 parking spaces per unit.</li> </ol>

.../2

**Appendix “E” to Report PED19115(a)**  
**Page 10 of 19**

SC/A-21:346  
Page 2

**NOTES:**

i. These variances are necessary to facilitate Site Plan Control Application DA-19-020. Please be advised that floor plans and elevations drawings have not been submitted as part of this Minor Variance application, therefore a comprehensive zoning review could not be completed at this time. As such, variances have been written as requested by the applicant. The applicant shall ensure that all other zoning regulations as noted in previous Building Division comments for DA-19-020 can be complied with.

This application will be heard by the Committee as shown below:

---

**DATE:** Thursday, December 9th, 2021  
**TIME:** 1:40 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

---

**PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**MORE INFORMATION**

For more information on this matter, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: November 23rd, 2021.

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***

**Appendix “E” to Report PED19115(a)**  
**Page 11 of 19**

December 9th, 2021

**Amended**

**SC/A-21:346 – 310 Frances Ave., Stoney Creek**

**PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT**

**Development Planning – Suburban**

The purpose of this application is to permit the construction of three high-rise multiple dwellings with surface parking for commercial uses and a six storey parking podium for residential and visitor parking, ground floor commercial uses, and ground floor amenity areas, notwithstanding the following variances:

1. That accessory and communal areas related to a residential use including: amenity areas, fitness areas, meeting rooms, bike/vehicle parking areas, lobbies and mail areas be permitted on the ground floor level, whereas Zoning By-law No. 3692-92 only permits residential uses and uses accessory to, to be located above a commercial use;
2. That an amenity area for each one-bedroom dwelling unit shall be provided at a rate of 8.8 m<sup>2</sup> per/unit, whereas Zoning By-law No. 3692-92 requires amenity area to be provided at a rate of 18.0 m<sup>2</sup> per/unit;
3. That an amenity area for each two-bedroom dwelling unit shall be provided at a rate of 8.8 m<sup>2</sup> per/unit, whereas Zoning By-law No. 3692-92 requires amenity area to be provided at a rate of 53.0 m<sup>2</sup> per/unit;
4. To permit a minimum lot area comprised of landscaping to be 36%, whereas Zoning By-law No. 3692-92 requires that 50% of the lot area be comprised of landscaping;
5. To provide a 6.0-metre-wide landscape strip abutting the Conservation/Hazard Land (P5) Zone, whereas Zoning By-law No. 3692-92 requires a minimum 9.0-metre-wide be provided;
6. To permit pedestrian walkways and vehicular driveways to cross a required landscape strip, and; that the following may also be permitted within the required landscape strips: servicing structures and fixtures, i.e. catch basins, manholes, valve boxes etc., existing/proposed transformers, traffic control signs, light standards/fixtures, armour stone landscape walls, site/maintenance accesses, rain gardens and infiltration (clear stone) galleries; and



**Appendix “E” to Report PED19115(a)**  
**Page 12 of 19**

**December 9th, 2021**

7. That a parking rate of 1.25 parking spaces per dwelling unit be provided, whereas Zoning By-law No. 3692-92 requires a rate of 1.5 parking spaces per dwelling unit be provided.

#### Background

Prior to the consideration of the current application **SC/A-21:346**, the subject lands received approval of a Zoning By-law Amendment (**By-law 10-027**) on February 10<sup>th</sup>, 2010. This amendment required several site-specific provisions which include: a minimum density of 585 units/hectare, no maximum cap on height, and no maximum limit to the number of buildings per lot. The proposed development is currently undergoing a Site Plan Control Process through application **DA-19-020**.

The current application was tabled at the October 21<sup>st</sup>, 2021 Committee of Adjustment Meeting. This afforded the applicant an opportunity to hold a public open house to provide an update on the proposed development to the surrounding community. As suggested in report **PED19115** that was presented to Planning Committee on May 14, 2019. On Thursday November 18<sup>th</sup>, 2021 staff attended the public open house hosted by the applicant and noted that the applicant presented possible revisions to the latest submission of **DA-19-020**. The applicant presented a built form that reduced the heights and unit counts of the proposed towers to 44, 38, and 32 Storeys, for a total of 1,346 units. To date, staff have not received the revised detailed plans, nor the required technical studies to support the revision presented to the public at the open house. (Table 1 reflects the site statistics of the latest submission to application **DA-19-020**).

#### Urban Hamilton Official Plan Designation

The subject lands are designated as “Neighbourhoods” in Schedule E – Urban Structure and designated “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations in Volume 1 of the Urban Hamilton Official Plan (UHOP). Multiple dwellings and local commercial uses on the ground floor of buildings containing multiple dwellings within this designation are permitted (Volume 1 – E.3.6.2 and E.3.6.3).

#### Former City of Stoney Creek By-law No. 3692-92

The majority of the subject lands are classified as Mixed Use Commercial “MUC-4” Zone, Modified in the Stoney Creek Zoning By-law No. 3692-92 which permits the use of Apartment Dwelling Units above commercial uses and accessory structures thereto, subject to applicable provisions.

#### City of Hamilton Zoning By-law No. 05-200

A portion of the subject lands are classified as Conservation/Hazard Land (P5) Zone in the City of Hamilton Zoning By-law No. 05-200, which permits conservation, flood and erosion control facilities and passive recreation, subject to applicable provisions. The (P5)



**Appendix “E” to Report PED19115(a)**  
**Page 13 of 19**

**December 9th, 2021**

Zone applies to a water channel located at the south and east sides of the subject lands that is regulated by the Hamilton Conservation Authority.

Variance 1

Zoning By-law No. 3692-92 permits apartment dwelling units above commercial uses and uses accessory thereto. The intent of the provision is to ensure that residential uses are subordinate to the principal commercial uses, while safeguarding that appropriate street presence and direct pedestrian connections for local commercial uses are maintained.

The applicant has submitted a conceptual ground floor plan that denotes the majority of the ground floor area of the proposed development will be utilized for accessory residential uses. The regulations of the Mixed Use Commercial Zone establish that apartment dwelling units and uses accessory to may only be permitted to be above commercial uses. Staff note that the overall intent of this zone is to ensure that the apartment dwelling units service and are accessory to the principal commercial uses. The submitted ground floor plan runs contrary to this intent, as the majority of the ground floor of the proposed development is devoted accessory residential uses, not the permitted commercial uses. Staff are of the opinion that the requested variance is not minor in nature, nor does it meet the intent of the zoning by-law. Staff recommend Variance 1 as outlined in the notice of hearing be **denied**.

Variations 2 and 3

Zoning By-law No. 3692-92 requires that amenity space be provided at a rate of 18.0 m<sup>2</sup> and 53.0 m<sup>2</sup> for one-bedroom and two-bedroom dwelling units respectively. The intent of these provisions is to provide for adequate communal indoor and outdoor amenity areas which supports the recreational needs of residents and visitors and provides an indirect control over the scale of development.

The applicant proposes to provide amenity space at a rate of 8.8 m<sup>2</sup> for both one-bedroom and two-bedroom dwelling units. The applicant is proposing a reduction of required ratio of amenity space per dwelling unit to 10.2 m<sup>2</sup>/unit and 44.2 m<sup>2</sup>/unit respectively. Staff note that 55,031.0 m<sup>2</sup> is required based on the last formal submission received.

The applicant's analysis states, "the very high amenity space standards in the 'MUC' Zone within [sic] the Stoney Creek Zoning-By-Law, which are high by historical standards and are also not in line with amenity space requirements for mixed use residential requirements in Zoning By-Law 05-200". Staff note that Zoning By-law No. 05-200 is not in force and effect for the subject lands, therefore the proposed development cannot be measured against those regulations.

While staff agree that these historical standards are particularly high, these provisions serve as a way of limiting the scale of residential development within the Mixed Use Commercial Zones, allowing for commercial uses to be predominate with residential

**Appendix “E” to Report PED19115(a)**  
**Page 14 of 19**

**December 9th, 2021**

being accessory. Staff are of the opinion that the proposed relief is not in keeping with the intent of the Zoning By-law No. 3692-92. The requested variances are not minor in nature. Staff recommend that Variances 2 and 3 as requested be **Denied**.

Variance 4

Zoning By-law No. 3692-92 requires that 50% of the total lot area be comprised of landscaping and open space. The intent of this provision is to ensure that development does not overwhelm the lot, thereby allowing the lot to provide appropriate drainage, amenity space, and landscaping.

The applicant is proposing to reduce the required percentage of landscaped area to 36%. Staff do not support the requested reduction as the majority of the lot will be developed with hard surfaces. The applicants' analysis (submitted with the original application) of the four tests state:

“Minor can not only be contemplated through a numerical calculation, but also based on an analysis and potential impact to the subject site or surrounding area. This test is not purely one of numeracy but also one demonstrating that the variances, both individually and collectively, will not result in any unacceptable adverse impact, rather than no impact at all.”

Staff are of the opinion that the cumulative effect of the requested reductions to the required landscape strips and amenity areas in Variances 2-5, combined with the proposed increase of the lot coverage to 64%; will collectively result in unacceptable impacts on the surrounding neighbourhood. The intent of this provision supports Subsection 8.8.3 (j) and (l) for providing adequate outdoor amenity space and landscaping. The minimum 50% lot coverage also limits the massing of buildings to provide adequate transition to surrounding land uses while providing a higher quality of life for those that live at, near, and visit the proposed development. Staff are therefore of the opinion that the variance is not desirable for the use of the lands and recommend that Variance 4 be **denied** as requested.

Variance 5

Zoning By-law No. 3692-92 requires that a minimum 9-metre-wide landscape strip shall be provided where a lot line abuts any non-commercial or non-industrial lands. The intent of this provision is to ensure that there is naturalized transition between high density built form and surrounding sensitive land uses and will contribute to appropriate amenity space and on-site drainage.

The applicant proposes to provide a 6.0-metre-wide landscape strip for the lot line abutting the Conservation/Hazard Land (P5) Zone. In their Planning Justification Report (submitted with the original application) the applicant states:

“The requested reduced landscaped strip width along the southern limits of the Site to another zone continues to maintain the general intent as the size and design of the blocks adjacent to the Site were established to facilitate the storm water design and was approved following a detailed vetting by the appropriate commenting agencies. Relief from this setback is not anticipated to create any

**Appendix “E” to Report PED19115(a)**  
**Page 15 of 19**

**December 9th, 2021**

compatibility issues, and appropriate design requirements, including sufficient landscaping within the requested landscaped strip can continue to be provided on Site. Through the site plan process, the civil engineering components have been reviewed and continue to be appropriately provided for the site based on the requested Minor Variances.”

Staff have communicated with the Hamilton Conservation Authority (HCA) who have indicated that they are working with the applicant, specifically, on the reduction of the required landscape strip from 9.0 metres to 6.0 metres. Until the built form of the development has been determined, the impact of the reduced landscape strip is unknown, and may also require additional variances. Staff do not have sufficient information to evaluate the variance against the four tests under Section 45(1) of the Planning Act and cannot recommend approval at this time. Should the applicant wish to proceed with a decision, staff recommend that the variance be **Denied**.

#### Variance 6

Zoning By-law No. 3692-92 defines a landscape strip as “an area of land devoted solely to the growing of grass, ornamental shrubs or trees and may include fences and berms”.

The applicant is proposing that various pedestrian connections (walkways/sidewalks) be permitted to cross required landscape strips. The applicant has also requested that the following be permitted to be located within the required landscape strips:

servicing structures/fixtures i.e. catch basins, manholes, valve boxes etc., existing and proposed transformers, traffic control signs, light standards/fixtures, armour stone landscape walls, site/maintenance accesses, rain gardens, and infiltration (clear stone) galleries.

As the design of the subject site has not been finalized staff are of the opinion that the variance as requested be denied. Consideration of this request is premature because conditional site plan approval has not been given. Staff have not had an opportunity to review where these fixtures will be located as the applicant has not provided an updated submission. A redesign of the site may result in a change in the intent of the approval and may affect the scope of the requested variance

#### Variance 7

Zoning By-law No. 3692-92 requires that parking for residential dwelling units be provided at a rate of 1.5 spaces per unit. The intent of the minimum parking requirement is to provide enough parking spaces for both residents and visitors while ensuring that there is minimal spill over of parking on the surrounding streets. This requirement of the By-law also limits scale of development.

The applicant proposes to reduce the required parking ratio to 1.25 spaces per dwelling unit. The development as currently planned will contain 1,836 dwelling units. At a rate of



**Appendix “E” to Report PED19115(a)**  
**Page 16 of 19**

December 9th, 2021

1.5 spaces per dwelling unit, the development would require a total of 2,755 parking spaces (this calculation is for the dwelling units only and does not include the commercial component of the proposed development).

Table 1

Tower #	Number of Dwelling Units	Height of Tower	Required Parking for Residential Units 1.5 spaces/unit *Does not include commercial parking requirements*	Proposed Parking for Residential Units 1.25 spaces/unit *Does not include commercial parking requirements*
1	634	159 metres	951	793
2	657	180 metres	986	821
3	545	144 metres	818	681
Total	1836	N/A	2755	2295

As shown on the Table 1 above, at a rate of 1.25 spaces per dwelling unit the total provided parking for residential uses would be 2295 parking spaces (a difference of 16.6% or 460 spaces). It is staff's opinion that the proposed reduction is not minor in nature as the subject lands are underserved by public transit. There are no bus routes, proposed LRT lines, or GO Station within a walkable distance of the subject lands. Further, the reduction of 460 spaces representing in a 16.6% decrease in required parking is not minor in nature. Staff can consider reductions in parking, where there are appropriate amenities and public transit within proximity to a development, however, this is not the case for this proposal. Staff recommends Variance 7 be **Denied** as requested.

Recommendation:

Having regard for the matters under subsection 45(1) of the *Planning Act*, staff are of the opinion that the requested variances will have an adverse affect on the surrounding lands and streetscape. As such, the proposed variances do not meet the purpose and intent of

**Appendix “E” to Report PED19115(a)**  
**Page 17 of 19**

**December 9th, 2021**

the Urban Hamilton Official Plan and Zoning By-law, the variances are not desirable for the appropriate development of the land and are not minor in nature. Staff recommend that the variances, as outlined in the Notice of Hearing, be **Denied**.

**Building Division:**

1. These variances are necessary to facilitate Site Plan Control Application DA-19-020. Please be advised that floor plans and elevations drawings have not been submitted as part of this Minor Variance application, therefore a comprehensive zoning review could not be completed at this time. As such, variances have been written as requested by the applicant. The applicant shall ensure that all other zoning regulations as noted in previous Building Division comments for DA-19-020 can be complied with.
2. A building permit is required in the normal manner to permit the construction of the proposed development.

**Development Engineering:**

Development Engineering has no comments on the Minor Variance proposed.

All engineering comments will be provided through Site Plan Application DA-19-020.

**See attached for additional comments.**

**Appendix "E" to Report PED19115(a)**  
**Page 18 of 19**



Committee of Adjustment  
 Hamilton City Hall  
 71 Main Street West, 5<sup>th</sup> floor  
 Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424  
 ext. 4221, 3935  
 Fax (905) 546-4202

**COMMITTEE OF ADJUSTMENT**  
**DECISION OF THE COMMITTEE**

**APPLICATION NO. SC/A-21:346**  
**SUBMISSION NO. A-346/21**

- APPLICATION NO.:** SC/A-21:346
- APPLICANTS:** Agent GSP Group c/o J. Liberatore  
 Owner NHDG (Waterfront) Inc.
- SUBJECT PROPERTY:** Municipal address **310 Frances Ave., Stoney Creek**
- ZONING BY-LAW:** Zoning By-law Stoney Creek 3692-92 and Hamilton Zoning By-law 05-200, as Amended
- ZONING:** "MUC-4 & P5" (Mixed Use Commercial & Conservation/Hazard Lands) district
- PROPOSAL:** To permit the construction of a new mixed-use development consisting of three (3) residential towers above ground floor commercial uses notwithstanding that:
1. Accessory and communal areas related to a residential use (which may include; amenity areas, fitness areas, meeting rooms, bike/vehicle parking areas, lobbies and mail areas) shall be permitted on the ground floor level whereas the by-law only permits residential uses to be located above a commercial use.
  2. The amenity area required for each one-bedroom dwelling unit shall be provided at a rate of 8.8m<sup>2</sup> per unit instead of the minimum required amenity area of 18.0m<sup>2</sup> per unit.
  3. The amenity area required for each two-bedroom dwelling unit shall be provided at a rate of 8.8m<sup>2</sup> per unit instead of the minimum required amenity area of 53.0m<sup>2</sup> per unit.
  4. A minimum of 36% of the lot area shall be comprised of landscaped open space instead of the minimum required 50%.
  5. A landscape strip being 6.0m wide shall be provided abutting the P5 zone instead of the minimum 9.0m wide landscape strip required to be provided abutting any non-commercial or non-industrial zoned lands.
  6. Pedestrian walkways and vehicular driveways shall be permitted within a required landscape strip and landscaped open space and may also include the following: Servicing structures and fixtures, i.e. catch basins, manholes, valve boxes etc., Existing and proposed transformers, Traffic control signs, Light standards and fixtures, Armour stone landscape walls, Site and maintenance accesses and Rain Gardens and Infiltration (clear stone) Galleries.
  7. Parking for apartment dwelling units shall be provided at a rate of 1.25 parking spaces per dwelling unit instead of the minimum required 1.5 parking spaces per unit.

**Appendix "E" to Report PED19115(a)**  
**Page 19 of 19**

SC/A-21:346  
Page 2

That the variances, as set out above, are **DENIED** for the following reasons:

1. The Committee, having regard to the evidence, is of the opinion that the relief granted is beyond that of a minor nature.
2. The relief granted is not desirable for the appropriate development of the land and building and is inconsistent with the general intent and purpose of the By-law and the Official Plan as referred to in Section 45 of The Planning Act, 1990.
3. The Committee, having regard to the evidence, is not satisfied that there will be no adverse impact on any of the neighbouring lands.
4. The submissions made regarding this matter affected the decision by supporting the denial of the application.

**DATED AT HAMILTON** this 9<sup>th</sup> day of December, 2021.

\_\_\_\_\_  
D. Smith (Chairman)

\_\_\_\_\_  
L. Gaddy

\_\_\_\_\_  
B. Charters

\_\_\_\_\_  
M. Switzer

\_\_\_\_\_  
M. Smith

\_\_\_\_\_  
N. Mleczko

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO LAND TRIBUNAL (OLT) MAY BE FILED IS **December 29, 2021**.

**NOTE: This decision is not final and binding unless otherwise noted.**



November 1<sup>st</sup>, 2021

## NOTICE OF NEIGHBOURHOOD INFORMATION MEETING

310 Frances Avenue, Stoney Creek

We welcome you to join our virtual online community meeting on Thursday, November 18<sup>th</sup>, 2021. We are hosting this meeting to update our surrounding community on our development plans at 310 Frances Avenue, Stoney Creek. We are pleased to do so together with Councillor Maria Pearson.

We will be hosting this session by way of an online WEBINAR due to ongoing safety precautions relating to the pandemic. Please find below the details for the webinar.

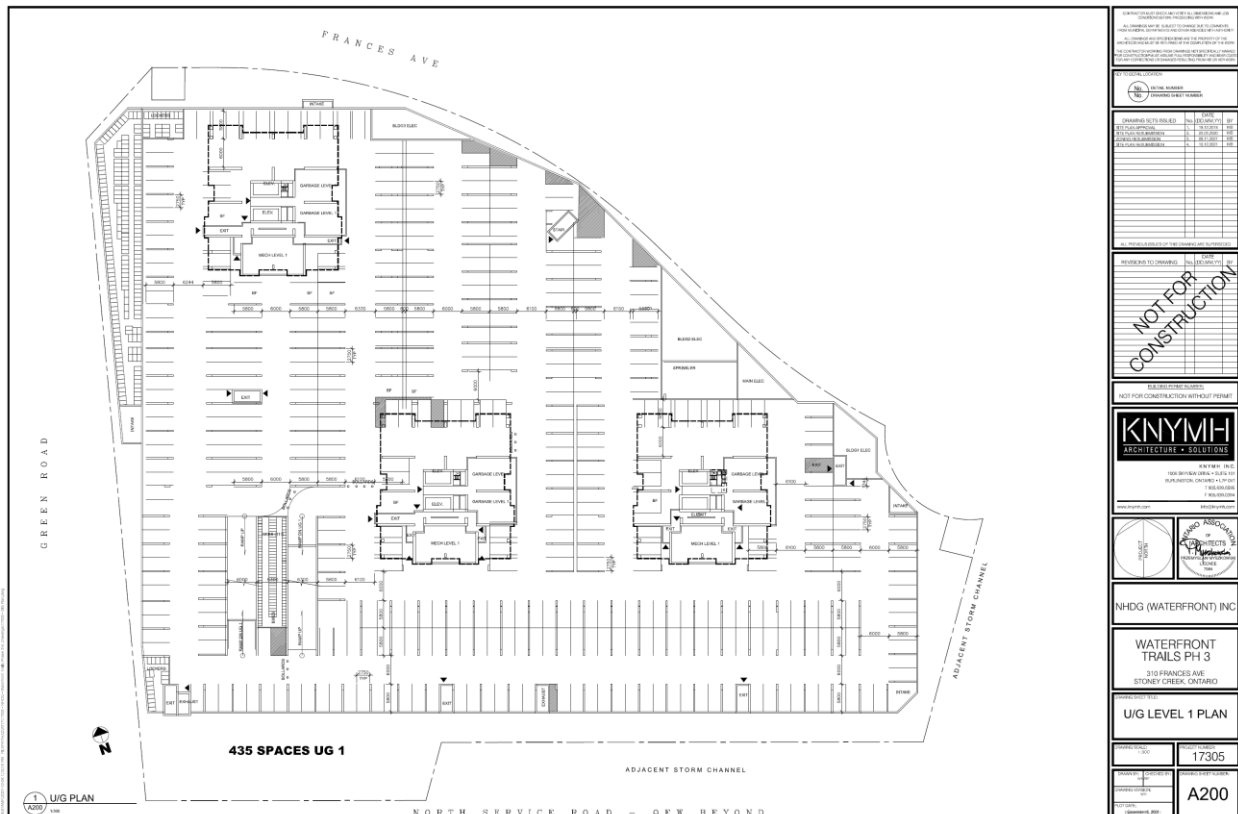
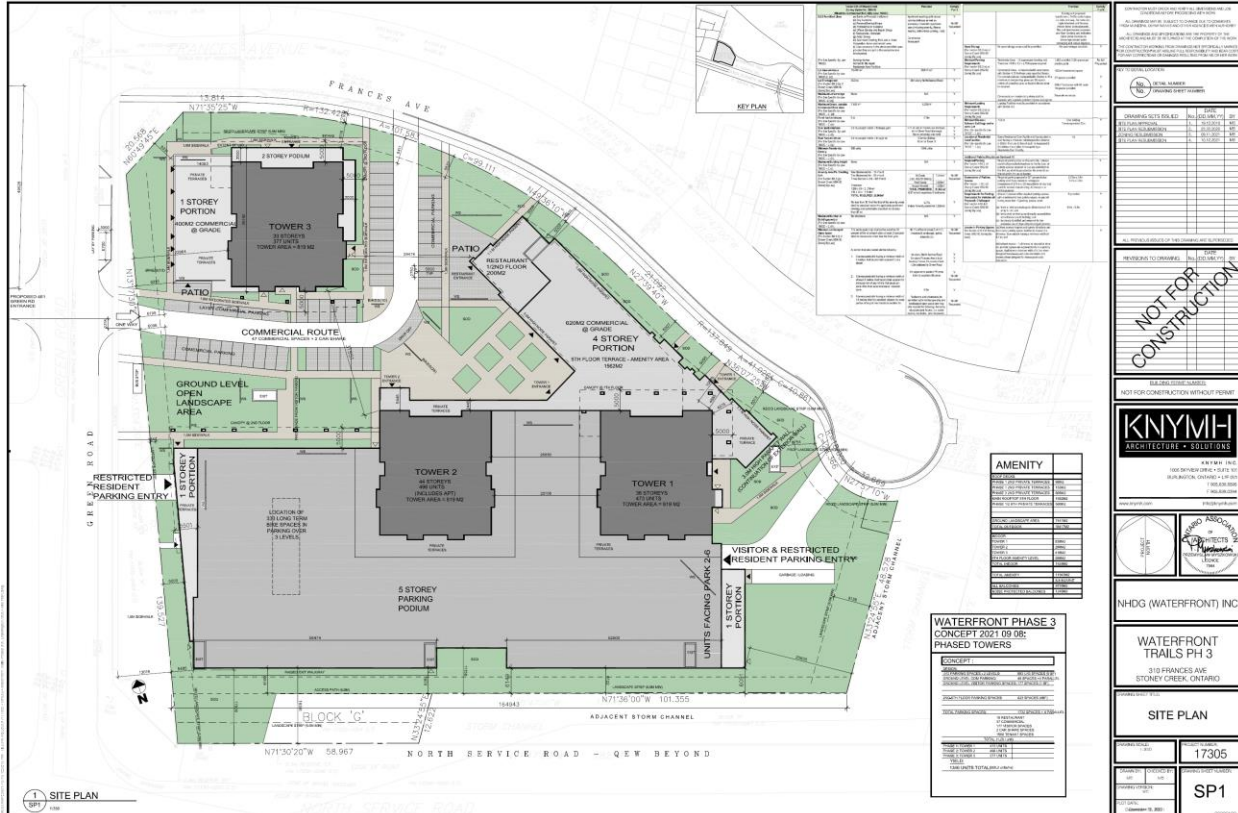
- DATE & TIME:** Thursday, November 18<sup>th</sup>, 2021 @ 6:00 – 8:00pm
- FORMAT:** An update on our 310 Frances Avenue development proposal, followed by online questions and answers.
- REGISTRATION:** If you would like to attend this meeting, we ask that you register via the following link <https://bit.ly/310Frances>. You are encouraged to confirm your device is compatible and operating correctly to connect to the webinar prior to the scheduled date. Kindly include your first and last name and email address.

We look forward to sharing information with you.

New Horizon Development Group



Appendix "H" to Report PED19115(a)  
Page 1 of 6



NOT FOR CONSTRUCTION

KNYMH ARCHITECTURE + SOLUTIONS

NHDG (WATERFRONT) INC

WATERFRONT TRAILS PH 3

310 FRANCES AVE  
STONEY CREEK, ONTARIO

NOT FOR CONSTRUCTION

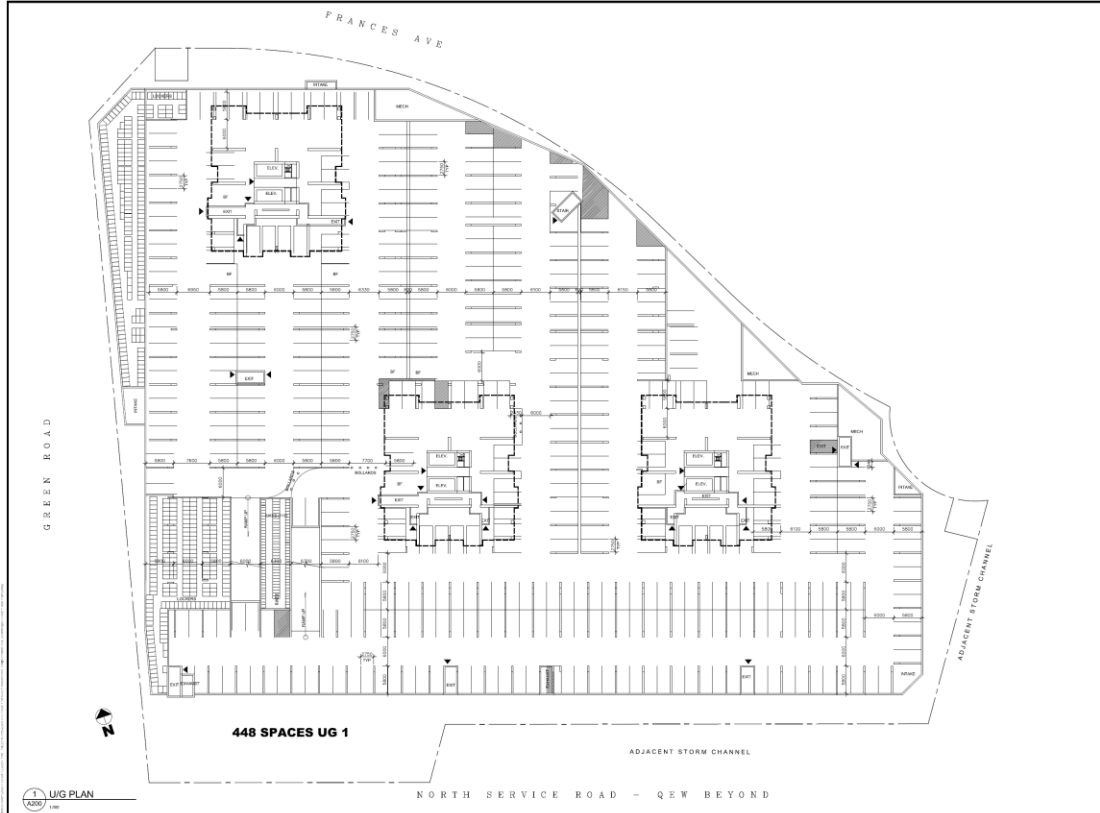
KNYMH ARCHITECTURE + SOLUTIONS

NHDG (WATERFRONT) INC

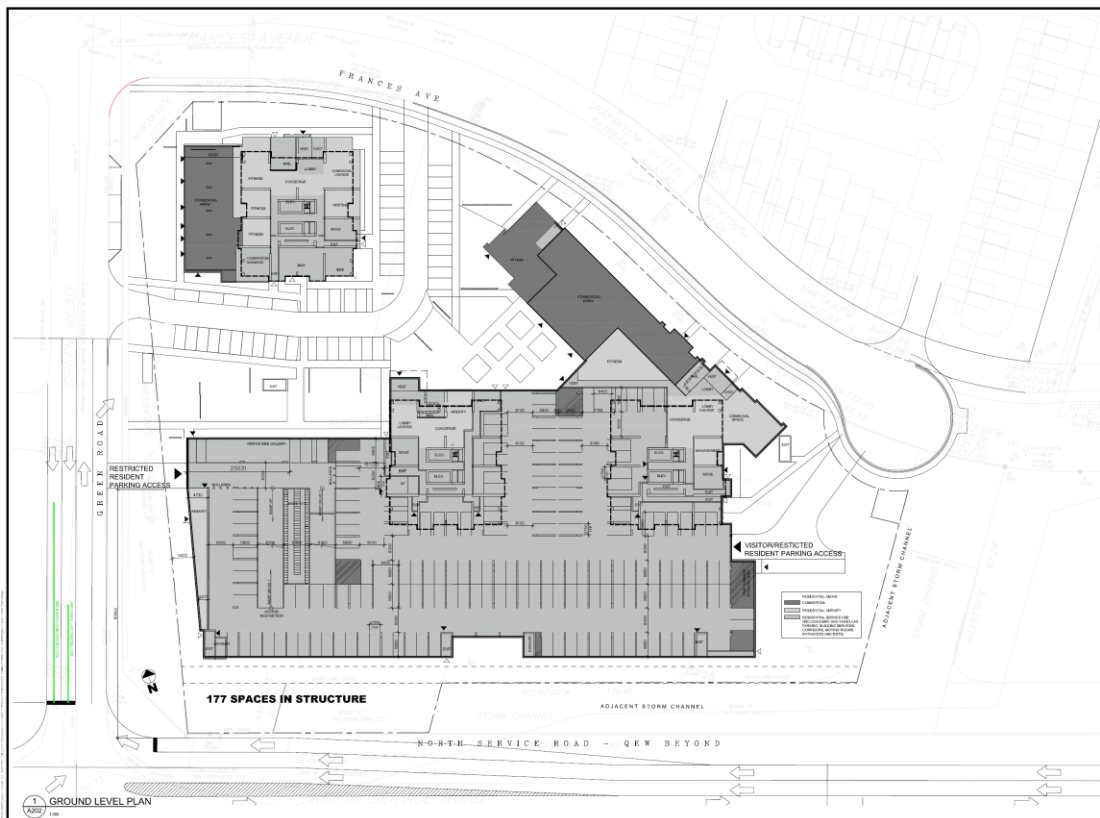
WATERFRONT TRAILS PH 3

310 FRANCES AVE  
STONEY CREEK, ONTARIO

Appendix "H" to Report PED19115(a)  
Page 2 of 6



<p>APPROVED FOR CONSTRUCTION BY THE ENGINEER OF RECORD ON THE DATE INDICATED BELOW. THIS APPROVAL IS VALID FOR THE PROJECT AND SITE ONLY. ANY CHANGES TO THE PROJECT OR SITE REQUIRE A REVISION TO THIS APPROVAL. THE ENGINEER OF RECORD IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS APPROVAL.</p>	
<p>DATE APPROVED: 17/05/2024</p>	
<p>PROJECT: WATERFRONT TRAILS PH 3</p>	
<p>LOCATION: 310 FRANCES AVE, STONEY CREEK, ONTARIO</p>	
<p>SCALE: AS SHOWN</p>	
<p>NOT FOR CONSTRUCTION</p>	
<p>ALL PROVISIONS OF THE CONSTRUCTION ACT APPLY.</p>	
<p>NOT FOR CONSTRUCTION WITHOUT PERMIT</p>	
<p><b>KNYMH</b> ARCHITECTURE + SOLUTIONS</p>	
<p>310 FRANCES AVE. SUITE 101 STONEY CREEK, ONTARIO M9W 6K7 TEL: 416-291-1111 WWW.KNYMH.COM</p>	
<p>PROFESSIONAL ENGINEER PROFESSIONAL ARCHITECT</p>	
<p>NHDG (WATERFRONT) INC</p>	
<p>WATERFRONT TRAILS PH 3 310 FRANCES AVE STONEY CREEK, ONTARIO</p>	
<p>U/G LEVEL 2 PLAN</p>	
<p>17305</p>	
<p>A201</p>	



<p>APPROVED FOR CONSTRUCTION BY THE ENGINEER OF RECORD ON THE DATE INDICATED BELOW. THIS APPROVAL IS VALID FOR THE PROJECT AND SITE ONLY. ANY CHANGES TO THE PROJECT OR SITE REQUIRE A REVISION TO THIS APPROVAL. THE ENGINEER OF RECORD IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS APPROVAL.</p>	
<p>DATE APPROVED: 17/05/2024</p>	
<p>PROJECT: WATERFRONT TRAILS PH 3</p>	
<p>LOCATION: 310 FRANCES AVE, STONEY CREEK, ONTARIO</p>	
<p>SCALE: AS SHOWN</p>	
<p>NOT FOR CONSTRUCTION</p>	
<p>ALL PROVISIONS OF THE CONSTRUCTION ACT APPLY.</p>	
<p>NOT FOR CONSTRUCTION WITHOUT PERMIT</p>	
<p><b>KNYMH</b> ARCHITECTURE + SOLUTIONS</p>	
<p>310 FRANCES AVE. SUITE 101 STONEY CREEK, ONTARIO M9W 6K7 TEL: 416-291-1111 WWW.KNYMH.COM</p>	
<p>PROFESSIONAL ENGINEER PROFESSIONAL ARCHITECT</p>	
<p>NHDG (WATERFRONT) INC</p>	
<p>WATERFRONT TRAILS PH 3 310 FRANCES AVE STONEY CREEK, ONTARIO</p>	
<p>GROUND LEVEL PLAN</p>	
<p>17305</p>	
<p>A202</p>	













**Appendix "I" to Report PED19115(a)  
Page 1 of 1**



**Hamilton**

Mailing Address:  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, Ontario  
Canada L8P 4Y5  
www.hamilton.ca

Planning and Economic Development Department  
Development Planning, Heritage and Design  
71 Main Street West, 5<sup>th</sup> Floor, Hamilton ON L8P 4Y5  
Phone: 905-546-2424 Fax: 905-546-4202

December 21, 2021

File: DA-19-020

Sarah Knoll  
GSP Group Inc.  
162 Locke Street South, Suite 200  
Hamilton ON, L8P 4A9

Dear Ms. Knoll:

**Re: Site Plan Control Application by GSP Group Inc. on Behalf of NHDG  
(Waterfront) Inc. for Lands Located at 310 Frances Avenue, Stoney Creek  
(Ward 10)**

This letter is to advise that the development of the lands, as proposed through DA-19-020 has been DENIED by the Manager of Development Planning, Heritage and Design on December 21, 2021.

The application has been denied as the proposal has failed to demonstrate that the development meets the general intent of the Urban Hamilton Official Plan, Stoney Creek Zoning By-law No. 3692-92 and the Mixed Use Commercial "MUC-4" Zone, Modified, Minor Variance application SC/A-21:346 was denied by the Committee of Adjustment on December 9, 2021, and the proposal is not considered good planning.

If you have any questions regarding your file please contact Melanie Schneider at 905.546.2424 ext. 1224 or by email at [Melanie.Schneider@Hamilton.ca](mailto:Melanie.Schneider@Hamilton.ca) or myself at ext.1258.

Yours truly,

Anita  
Fabac  
Digitally signed  
by Anita Fabac  
Date:  
2021.12.21  
14:57:34 -05'00'

Anita Fabac  
Manager of Development Planning, Heritage and Design

cc: Steve Robichaud, Director of Planning and Chief Planner  
Ohi Izirein, Senior Project Manager, Development Planning, Heritage and Design -  
Suburban Team



**Appendix "J" to Report PED19115(a)  
Page 1 of 5**

**From:** Deborah Martin [REDACTED]  
**Sent:** August 8, 2021 3:05 PM  
**To:** Office of the Mayor <[mayor@hamilton.ca](mailto:mayor@hamilton.ca)>  
**Subject:** Re 310 francés Ave. development in Stoney Creek

Dear Mayor Eisenberger

I am submitting this email with great concern regarding the heights suggested for each of the 3 towers to be built at 310 Frances Avenue in Stoney Creek. I have also submitted this email to the Planning Committee. It would seem that structures of this height would be a blight on an average height highrise area and could also look ridiculous. It only brings to my mind a Jack and the Beanstock comparison with a design like this only appropriate on the Toronto waterfront. I'm not sure that even the residents there would want it.

Very high density like what has been proposed on this very small land parcel at 310 Frances is extremely inappropriate for the existing context. This is especially true without the given supports in place like public transit. The use of hyper-intensification happening in the area is simply not good planning. An important issue has been that the permissions on this parcel are way too liberal. Residents have questioned this occurrence in the past but have not received adequate answers. It is a wonder as to how all this happened in the first place.

There has been no discussion or recent outlined plan for parking spaces allotted to this development so on street parking is not jeopardized or overwhelmed affecting local residents. Our present residential type of buildings plus highrises have more than adequately provided for their own resident parking on their property. Only slight overflow is noted to occur on the eastern portion of Frances where it ends in a cul de sac.

We would like to think that as residents in the Grays Road to Millen Road corridor that we would have representation from the planning committee and especially timely feedback from our local councillor, Maria Pearson. Now that larger meetings can be held it is strongly recommended that local residents present their concerns and input regarding the suggested development at 310 Frances Avenue. Also please review the multiple, lengthy petitions which local residents have continued to sign and submit. It is only fair to state that just because you can build a development that is out of place in our neighbourhood doesn't mean you should.

In closing, please view the petitions and overwhelming number of signatures submitted in opposition to the size and height, without parking spot allotment or available transit regarding this development. We need a better planned development that fits the neighbourhood without causing undue stress from its hyper-intensification.

Thank you for your attention to this matter.

**From:** Elizabeth Turville [REDACTED]  
**Sent:** May 20, 2019 10:25 AM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** [\*\*\*\*POSSIBLE SPAM]310 Frances St

Why are you attempting to destroy our waterfront and our view of the beautiful escarpment. The road structure will not sustain the added traffic.  
How about putting some thought in to this project's approval.

Concerned citizen.

**Appendix "J" to Report PED19115(a)**  
**Page 2 of 5**

**Schneider, Melanie**

---

**From:** Frank Jalsevac [REDACTED]  
**Sent:** May 29, 2019 1:06 AM  
**To:** Pearson, Maria; Ceric, Maryana; Robichaud, Steve; Schneider, Melanie; Thorne, Jason; [REDACTED]  
**Subject:** Planning and Economic Development (Planning Division) transparency and public awareness  
**Attachments:** PED19115.pdf

Good Morning Maria Pearson

My name is Frank Jalsevac and I am a resident at 301 Frances Ave Stoney Creek in Ward 10 which you represent.

I would like to request to be notified of the public meetings which I expect you will sponsor as a result of the document put forth by Steve Robichaud dated May 14/19 ( prepared by Melanie Schneider) doc. attached

As my representative for Ward 10 and in your capacity as a member of the Economic Development and Planning Committee I expect that you will vigorously act upon the Schneider/Robichaud recommendations.

The doc. is attached but here are some of the action items that are in your court

1) Executive Summary (pg 2/15)

item a) "That staff be directed to report back to the Planning Committee (that's you ) on the proposed developments on the subject property,310 Frances Avenue.

item b) "That staff consult with the ward Councillor ( that's you )to **provide proper public notice**"

Under heading , " The purpose of this Report is to"

bullet 3 states "Provide public access to Studies provided by the applicant in support of the proposed development in digital format to the **public** ( me) and **Planning Committee** (you)

Public Input on pgs. 12 &13 of 15 are detailed and need to be addressed

**Next Steps** (pg. 14 of 15)

" Staff will again coordinate with the local Ward Councillor (you) **regarding on -going public engagement** as part of subsequent submissions."

As we are all aware that through Hamilton's Strategic Plan, Community Engagement & Participation is a cornerstone and that Hamilton has an open,transparent and accessible approach to city government that engages and empowers all citizens to be involved in the community

To maintain Hamiltonians high level of trust and confidence in their City government we must walk the talk

I look forward to working closely with you in this matter of 310 Frances Ave. and anxiously await your direction

Respectfully yours,

Frank Jalsevac  
 301 Frances Ave.  
 Stoney Creek ON  
 L8E3W6

**Appendix "J" to Report PED19115(a)  
Page 3 of 5**

**From:** Judith Duncan [REDACTED]  
**Sent:** September 22, 2019 2:27 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Proposed towers at Green Road

Dear Mayor and Councillors

I reside at the southwest corner on the 16th floor of the Shoreliner building at 500 Green Road. Currently there is a windstorm which has required me to remove anything which is not anchored down on my balcony. I CANNOT IMAGINE what a similar event would feel like if one was on the balcony of one of the proposed towers. I would think even venturing out would be suicidal.

Please take all these risks into consideration apart from the other concerns about traffic, flooding, loss of natural habitat and especially death to thousands of birds before approving this plan.

Yours Faithfully,  
Judith A Duncan  
1614-500 Green Road  
Stoney Creek,  
ON L8E 3M6

**From:** Michelle LaButte [REDACTED]  
**Sent:** May 16, 2019 9:09 AM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** 310 Frances

Dear Honourable Mayor & Council:

Please take back your delegated authority for Site Plan Control / Approval on the application for 310 Frances. As per the Planning Act, you have carriage and in the best interest of all citizens, it is incumbent upon you that approval for a build of this massive scale rests with all City of Hamilton elected representatives.

The city of Hamilton, and in particular, the area of Stoney Creek does not need a "landmark" to signify its existence to commuters. This development is irresponsible and will be damaging to the community.

Michelle LaButte

-----Original Message-----

**From:** [REDACTED]  
**Sent:** January-12-20 1:49 PM  
**To:** Office of the Mayor <[mayor@hamilton.ca](mailto:mayor@hamilton.ca)>  
**Cc:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Triple Towers

I live at 500 Green Road, Stoney Creek and think the Triple Towers Condo project at 310 Frances Ave is outrageous! The traffic, on street parking etc will be a nightmare!!!  
Why would buildings that high be even considered when the maximum stories allowed in Hamilton is much less?

Russell Pape  
Unit 1212

## Appendix "J" to Report PED19115(a) Page 4 of 5

-----Original Message-----

From: [REDACTED]

Sent: Friday, July 30, 2021 9:38 AM

To: clerk@hamilton.ca

Subject: Re Dire Concerns regarding the Triple Tower Development Proposal @ #310 Frances Avenue Stoney Creek

Hello City Clerks Office

Please forward a copy of this email to Mayor Fred Eisenberger, All City Council Members and the Planning Staff.

Dear Mayor, City Council & Planning Staff

As a resident in the Lakewood Beach area I am very concerned regarding the proposal for The triple towers at #310 Francis Road!

The proposed intensity and height of these towers pose a threat to the residential safety of the area!

I previously expressed my concerns:

I am a resident at 485 Green Rd. Stoney Creek and I'm Very Concerned with the New Horizon proposed development of 3 Congestive, High Density Housing Towers/ Excessive Monster apartment buildings.

> This is not Right! We are a residential area we are Not downtown Toronto! Nor should we be!!!

> Sadly if this proposal goes through? Our neighborhood will be turning into more of a tower concrete jungle.

> Hopefully Council & Planning staff can put a Stop to the Excessive height & high density proposal! And move forward to a more favourable plan for our family residential community area.

> My concerns are many

> - Is there any potential Damage to the ground foundation structure of our current homes & future homes, as we are so close to the lake. Too many high density with digging for underground parking & structural footings for the TOWERS could they have a tragic negative effect for all? Who would be responsible to repair & pay for damage?

>

> - Safety due the extreme height of buildings, potential creating

> ongoing strong winds tunnels or stagnant air & thus changing air flow quality. And extra pollution —Also would they interfere with current air / weather aerodynamics in relation to the lake & escarpment?

>

> The negative effect with run off on Green spaces, animal / insect species in the wildlife/turtle pond areas.

>

> - Due to the shear height, Blockage of my residential sunlight & sky view. I currently enjoy all day, weather permitting, Sunshine looking out my windows and when in the backyard looking up into a blue sky!

> I do not need or want to be in the shadows of the towers!

>

> - Further Lack of Water pressure, Power outages for all due to volume demands of high density housing towers & development in the area can bring.

>

> - Volume, Congestion of traffic & noise levels, safety for

> pedestrians, cyclists & vehicles Unwelcome vehicles parking & cutting through our private street when roads are blocked due to traffic issues.

> It would be best if buildings were less than 10 to 15 stories! Certainly Nothing should be higher than the existing buildings!!!

> Stoney Creek and Hamilton's waterfront residential areas need to be something that we are proud of, where we can continue to see Lake Ontario and not a sea of over crowded concrete towers!

> Hamilton needs to set a president now to prevent further obstruction of excessive towers along the waterfront & in residential areas!

>

> I look forward to a positive outcome for all residents In keeping with our current safe residential & community focus.

> Thank you

>

> Best Regards

> Terylene McClelland

**Appendix "J" to Report PED19115(a)**  
**Page 5 of 5**

From: zita petozzi [REDACTED]  
Sent: January 8, 2020 2:48 PM  
To: clerk@hamilton.ca  
Cc: Office of the Mayor <mayor@hamilton.ca>  
Subject: Frances ave plan for triple towers

Please stop this insanity right away as this would leave us with traffic jams and no place to park along the roads.



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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 1, 2022
<b>SUBJECT/REPORT NO:</b>	City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) (Outstanding Business List Item)
<b>WARD(S) AFFECTED:</b>	Ward 10
<b>PREPARED BY:</b>	Alissa Mahood (905) 546-2424 Ext. 1250
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

## RECOMMENDATION

- (a) That **City Initiative CI-20-A**, to amend the Urban Hamilton Official Plan to change the designation from “Low Density Residential 2b” to “Medium Density Residential 3” designation, and identified as a Site Specific Policy Area in the Urban Lakeshore Area Secondary Plan for the lands located at 1400 Baseline Road, Stoney Creek, as shown on Appendix “A” attached to Report PED20002(a), be **APPROVED** on the following basis:
- (i) That the draft Urban Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED20002(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the draft Urban Hamilton Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That **City Initiative CI-20-A**, to rezone the subject lands from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-69(H)” Zone, Modified, Holding, under Zoning By-law No. 3692-92 (Stoney Creek) on the lands known as 1400 Baseline Road, in order to permit Maisonettes, Townhouses, Apartment Dwellings, Dwelling Groups, a Home Occupation and Uses, buildings or structures

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 2 of 28**

---

accessory to a permitted use, for lands located at 1400 Baseline Road, Stoney Creek, as shown on Appendix “A” attached to Report PED20002(a), be **APPROVED** on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED20002(a), 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 “RM3-69(H)” Zone, Modified, Holding, shall be removed when the following conditions have been met:

- (1) That a Traffic Impact Study has been submitted and implemented by the Applicant, to the satisfaction of the Manager of Transportation Planning, City of Hamilton;
- (2) That the Applicant/Owner shall investigate the noise levels on the site and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the Owner/Applicant and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner;
- (3) That the proponent shall carry out an Archaeological Assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the approval of the Director of Planning confirming that all archaeological resource concerns have met conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI);

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 3 of 28**

---

- (4) That the Owner/Applicant enters into and registers an applicable development agreement(s), including an External Works Agreement, and posting of appropriate securities to ensure the implementation of any infrastructure upgrade needs identified in the Functional Servicing Report, the Traffic Impact Study, or both, recommendation(s) to the satisfaction of the Senior Director of Growth Management, City of Hamilton;

City Council may remove the 'H' symbol and, thereby give effect to the "RM3-69(H)" Zone, Modified, Holding, by enactment of an amending By-law once the above conditions have been fulfilled;

- (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2020), conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (iv) That this By-law will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. XX;
- (c) That Item 19J be removed from the Planning Committee Outstanding Business List.

## **EXECUTIVE SUMMARY**

On January 12, 2021, a statutory public meeting of the Planning Committee was held to consider City Initiative file CI-20-A to amend the Urban Hamilton Official Plan and Zoning By-law No. 3692-92 for the lands located at 1400 Baseline Road, Stoney Creek (refer to previous Report PED20002). At the subsequent Council meeting of January 20, 2021, a decision was not made with regards to the proposed amendments, rather Council passed a motion deferring the amendments to a future planning committee meeting for consideration and directed staff to hold a neighbourhood information meeting with enhanced public notice for both the neighbourhood meeting and future statutory public meeting.

To implement Council's direction, a virtual neighbourhood meeting was held on March 18, 2021. Public notice for the meeting was given in advance of the neighbourhood meeting by way of a sign posting on the property, a meeting notice mail out to residents living greater than 120 metres of the subject lands, a newspaper advertisement posted in the Stoney Creek News and Hamilton Spectator on March 4, 2021, as well as an email notice sent to anyone who had contacted staff by way of email.

The purpose of this report is to present the amendment to the Urban Hamilton Official Plan to change the designation from "Low Density Residential 2b" to "Medium Density

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 4 of 28**

---

Residential 3” designation, and identified as a Site Specific Policy Area in the Urban Lakeshore Area Secondary Plan and the implementing zoning by-law amendment to rezone the subject lands from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-69(H)” Zone, Modified, Holding, under Zoning By-law No. 3692-92 (Stoney Creek) for the lands located at 1400 Baseline Road, Stoney Creek (refer to Location Map attached as Appendix “A” to Report PED2002(a)).

Following the neighbourhood meeting, a number of changes have been made to the proposed Official Plan and Zoning By-law Amendments:

Official Plan Amendment

- The Site Specific Policy – Area “X” has been revised to clarify that the City may require proponents to submit studies to demonstrate that the height, orientation, design, and massing of a proposed multiple dwelling does not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses;

Zoning By-law Amendment

- The minimum side yard regulation for apartment buildings has been increased from 7.5 metres minimum to 30.0 metres minimum setback from the existing residential dwellings on Redcedar Crescent. This is to ensure that the massing and height of an apartment building does not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses;
- Section 6.10.5, Regulations for Parking of the Multiple Residential RM3” Zone of By-law No. 3692-92 (Stoney Creek) has been applied to the property whereas previously Zoning By-law 05-200 parking regulations were proposed. This results in a slightly higher parking requirement than By-law 05-200. This change is in response to residents’ concerns about the lack of parking in the neighbourhood;
- The Holding Provision requiring the submission of a Functional Servicing Report (FSR) for water and sanitary servicing has been revised. Hamilton Water has confirmed after reviewing the design basis of the collection system and Shippee pump station that there is more than enough unallocated capacity to accommodate the proposed density increase at 1400 Baseline Road, therefore for sanitary servicing, neither a Holding provision nor engineering study is necessary to support the amendments. In addition, staff hired AECOM to carry out a water distribution analysis that concluded that there are no impacts from the proposed amendments on the minimum required water pressure in the City’s Pressure District 1 and adequate water service can be maintained with the proposed density increase (see Appendix “E” attached to Report PED20002(a)). However, the

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 5 of 28**

---

Holding provision will require that the proponent enter into an External Works Agreement for any required infrastructure improvements required; and,

- Two new studies have been added to the Holding Provision (an Archaeological Assessment and noise study) for clarity purposes. These were added based on internal comments received from Cultural Heritage and Growth Management staff to make these requirements of any future site plan approval more explicit.

**Alternatives for Consideration – See Page 27**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider an Application for an amendment to the Official Plan and Zoning By-law.

**HISTORICAL BACKGROUND**

**Report Fact Sheet**

<b>City Initiative Details</b>	
Owner:	City of Hamilton.
Applicant:	City of Hamilton.
File Number:	CI-20-A.
Type of Application:	Urban Hamilton Official Plan Amendment. City of Stoney Creek Zoning By-law No. 3692-92 Amendment.
Proposal:	To remove the subject lands from the “Low Density Residential 2b” designation and to add the subject lands to the “Medium Density Residential 3” designation in the Urban Lakeshore Area Secondary Plan. To add a site specific policy to the subject lands to permit all forms of multiple dwellings.  To rezone the subject lands from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-69(H)” Zone, Modified, Holding.

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 6 of 28**

<b>Property Details</b>	
Municipal Address:	1400 Baseline Road, Stoney Creek (Ward 10) (see Location Map attached as Appendix "A" to Report PED20002(a)).
Lot Area:	1.17 hectares or 11,736 m <sup>2</sup> . (rectangular).
Existing Use:	Currently vacant.
Surrounding Land Uses:	<b>North:</b> Residential, Multiple Residential Two (RM2) Zone. <b>South:</b> North Service Road/QEW, Neighbourhood (ND) Development Zone. <b>East:</b> Residential, Multiple Residential Three (RM3) Zone. <b>West:</b> Commercial, Community Commercial (C3) Zone.
<b>Documents</b>	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS (2020).
Growth Plan (2019 as amended):	The proposal conforms to The Growth Plan for the Greater Golden Horseshoe (2019, as amended).
Official Plan Existing:	Urban Hamilton Official Plan: Identified as Neighbourhoods on Schedule E – Urban Structure and designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations.
Secondary Plan Existing:	Urban Lakeshore Area Secondary Plan – Low Density Residential 2b on Urban Lakeshore Area. Secondary Plan, Land Use Plan, Map B.7.3-1.  Permitted uses: single, semi-detached and duplex dwellings.  1 to 29 units per net residential hectare.
Secondary Plan Proposed:	Urban Lakeshore Area Secondary Plan – re-designate the lands to Medium Density Residential 3 (see Appendix "B" attached to Report PED20002(a)).  Permitted uses: Predominantly apartment buildings not exceeding nine storeys.  50 to 99 units per net residential hectare.  Site Specific Policy to permit all forms of multiple dwellings.

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 7 of 28**

<b>Documents</b>	
Zoning Existing:	Neighbourhood Development (ND) Zone.
Zoning Proposed:	Multiple Residential “RM3-69(H)” Zone, Modified, Holding (see Appendix “C” attached to Report PED2002(a)).

### **Description of the Subject Lands**

The subject property is known municipally as 1400 Baseline Road in the former municipality of Stoney Creek and is located north of the Queen Elizabeth Way, on the north side of North Service Road and east of Fifty Road. The property is surrounded by residential uses to the north, and a neighbourhood commercial plaza located to the west of the subject lands (named “50 Point Market”). The residential forms adjacent to the site consist of single detached, semi-detached and block townhouses (freehold units on a condominium road). To the northeast of the property is the Fifty Point Conservation Area. The property has a frontage of approximately 175 metres along Baseline Road and is approximately 80 metres deep for a total land area of 1.17 hectares, or approximately 2.9 acre in size. The site is currently vacant.

### **Background**

The subject lands were identified by the Affordable Housing Site Selection Sub-Committee to be part of a disposition strategy to create more Affordable housing. In November of 2017, the Affordable Housing Site Selection Sub-Committee directed staff to complete due diligence and circulate for comments a portfolio of 19 properties. Some of these properties were identified as sites for future redevelopment by CityHousing as affordable housing units. Other properties were identified as sites for divestment. Some of the divestment properties would be marketed and sold in their current condition, whereas other properties would undergo a City initiated planning amendments prior to divestment. The subject lands at 1400 Baseline Road were identified by the Real Estate Division as a property that would benefit from updating the planning instruments for the lands. Proceeds from the sale of 1400 Baseline Road would then be used to fund future affordable housing projects as well as transportation infrastructure upgrades within the neighbourhood.

On May 14, 2019, City Council approved a motion directing City staff to investigate updating the land use designation and zoning requirements to reflect the highest and best use of the land. Staff commenced a City initiated amendment to amend the Urban Hamilton Official Plan (UHOP) to implement Council’s motion. Staff have carried out a land use review and a series of massing exercises to better understand how different residential densities and forms could be accommodated on the site. On January 12, 2021, a statutory public meeting was held to present amendments to the UHOP and

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 8 of 28**

---

Zoning By-law No. 3692-92 for the lands located at 1400 Baseline Road, Stoney Creek to re-designate the lands from “Low Density Residential 2b” in the “Medium Density Residential 3” in the Urban Lakeshore Area Secondary Plan and to change the zoning to the Multiple Residential “RM3-69(H)” Zone, Modified, Holding, under Zoning By-law No. 3692-92 (Stoney Creek) (refer to previous Report PED20002). At the January 20, 2021 Council meeting, Council deferred approval of the Official Plan Amendment and Zoning By-law amendment and passed the following motion:

“WHEREAS, Council has received numerous communications from the public regarding how notice was provided with respect to City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek;

WHEREAS, staff have confirmed that the legislated obligations as per the Planning Act, with respect to notice of a City Initiative was provided; and

WHEREAS, the public has the right to comment on planning matters and Council has an obligation to provide the public with an opportunity to comment on planning matters.

THEREFORE BE IT RESOLVED:

- (a) That Item 6 of the January 12, 2021 Planning Committee Report (21-001), respecting Report PED20002, City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek, which was approved by Council on January 20, 2021, be referred back to the Planning Committee for further consideration;
- (b) That staff be directed to schedule a neighbourhood information meeting in conjunction with the Ward Councillor, and that notice of the meeting be made by way of mailout and that the limits of the mailout be determined based on consultation with the Ward Councillor; and,
- (c) That staff be directed to provide enhanced public notice of the statutory public meeting of the Planning Committee which will include posting a sign on the property, mailout and publishing in the newspaper.”

A virtual neighbourhood meeting was held on March 18, 2021 with 79 registrants. Enhanced notice for the meeting included a sign posting on the property, a meeting notice mail out to residents living greater than 120 metres of the subject lands a newspaper advertisement posted in the Stoney Creek News and Hamilton Spectator on March 4, 2021. Furthermore, an email notice sent to anyone who had contacted staff by way of email.

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 9 of 28**

---

A summary of the public feedback received on the proposed Official Plan Amendment and Zoning By-law Amendment is attached as Appendices “F” and “G” attached to Report PED20002(a).

The purpose of this report is to present the amendment to the Urban Hamilton Official Plan Amendment (UHOPA) to re-designate the subject lands from “Low Density Residential 2b” to “Medium Density Residential 3” in the Urban Lakeshore Area Secondary Plan. The UHOPA also adds a site-specific policy area to the subject lands to permit all forms of multiple dwellings.

An implementing zoning by-law amendment will rezone the subject lands from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-69(H)” Zone, Modified, Holding, under Zoning By-law No. 3692-92 (Stoney Creek) for the lands located at 1400 Baseline Road, Stoney Creek (refer to Location Map attached as Appendix “A” to Report PED20002(a)).

Both the Official Plan Amendment and the Zoning By-law Amendment have been revised in response to the feedback received from the public.

The current policy framework designates the lands “Low Density Residential 2b”. This designation permits single detached, semi-detached and duplex dwellings with a residential density range of 1 to 29 units per net residential hectare.

The proposed “Medium Density Residential 3” designation on the lands located will permit ground related dwellings as well as one multiple dwelling up to nine storeys in height with a density of 50 to 99 units per net residential hectare.

Because the current Lakeshore Area Secondary Plan limits the permitted uses in the “Medium Density Residential 3” designation to predominantly apartment dwellings up to nine stories with a density of 50 to 99 units per net residential hectare, the proposed amendment will add a site specific policy area to the lands to permit all forms of multiple dwellings (to include block townhouses, maisonette townhouses, stacked townhouses and/or an apartment). This site-specific policy aligns the permitted uses for the property with the permitted uses of the Medium Density Residential designation of Volume 1 of the UHOP. Once the amendments are approved a future site plan Application will be required and the Application will be assessed to ensure that the proposed respects the existing neighbourhood character and built form of the Fifty Point neighbourhood.

Based on public feedback, the OPA has been revised to add a policy to the site-specific policy area that allows the City to ask for studies to demonstrate that the height, orientation, design, and massing of a proposed multiple dwelling does not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses. This policy was added in response to concerns residents raised regarding a potential

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 10 of 28**

---

nine storey building on the site and the potential impacts the building may have on adjacent properties with regards to shadows and privacy.

The proposed Zoning By-law Amendment will rezone the subject lands from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-69(H)” Zone, Modified, Holding. A number of site-specific modifications to the Multiple Residential “RM3” Zone are proposed and discussed in detail in Appendix “D” attached to Report PED20002(a). A holding ‘H’ provision is recommended in order to ensure any potential traffic and noise impacts are mitigated and that an Archaeological Assessment is submitted prior to Site Plan. The noise study and Archaeological Assessment are two new studies that have been added to the previously recommended holding provision that was included in the Zoning By-law Amendment that was presented with Report PED20002.

The previous holding provision requirement that calls the submission of a Functional Servicing Report for water and sanitary servicing has been removed but the Holding provision does require the proponent to enter into an external works agreement with the City of Hamilton. Hamilton Water has confirmed after reviewing the design basis of the collection system and Shippee pump station that there is more than enough unallocated capacity to accommodate the proposed density increase at 1400 Baseline Road, therefore for sanitary servicing, neither a holding provision or engineering study is necessary to support the amendments.

In addition, staff hired AECOM to carry out a water distribution analysis that concluded that there are no impacts from the proposed amendments on the minimum required water pressure in the City’s PD1 and adequate water service can be maintained with the proposed density increase (Refer to Appendix “E” attached to Report PED20002(a) for the Water Distribution Analysis Report). Further, if future Development Applications conform to the density permissions there will be no future water servicing analysis required.

The proposed City initiated Official Plan and Zoning By-law Amendments have merit and can be supported as the proposed amendments are consistent with the Provincial Policy Statement (2020), conform to the Growth Plan for the Greater Golden Horseshoe (2019, as amended) and comply with and implement the policies of the Urban Lakeshore Secondary Plan upon approval of the UHOPA.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Policy Statement (2020)**

This City initiative has been reviewed with respect to the Provincial Policy Statement (PPS) policies that contribute to the development of healthy, liveable and safe

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 11 of 28**

---

communities as contained in Policy 1.1.1. In particular, the Application is consistent with the following policies:

“1.1.1 Healthy, liveable and safe communities are sustained by:

- b) Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; and,
- e) Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.”

The proposed amendment is consistent with Policy 1.1.3.1 of the PPS, which focuses on growth in settlement areas. The proposed development is located within a settlement area and will allow for the development of underutilized lands for residential uses.

“1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

The proposed amendment is consistent with Policy 1.1.3.3 of the PPS, which directs municipalities to promote opportunities for intensification and to implement minimum targets for intensification within built-up areas as established by provincial plans. The proposed amendments will allow for development that provides for a broad range of residential forms in a greenfield area that provides efficient land use to accommodate residential needs.

Based on the foregoing, the proposed UHOPA is consistent with Section 3 of the *Planning Act* and the PPS 2020.

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 12 of 28**

---

**A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended)**

The policies of the Growth Plan for the Greater Golden Horseshoe apply to any Planning decision.

Section 1.2.1 of the Growth Plan outlines a number of Guiding Principles regarding how land is developed, resources are managed and protected, and public dollars are invested. This proposed amendment to the Urban Lakeshore Area Secondary Plan conforms to these Guiding Principles in that it supports the achievement of a complete community that is designed to support healthy and active living, meeting people's needs for daily living throughout an entire lifetime.

The Growth Plan is focused around accommodating forecasted growth in complete communities and provides policies on managing growth. The following policy, amongst others, applies:

- "2.2.1.4 Applying the policies of this Plan will support the achievement of *complete communities* that:
- a) feature a diverse mix of land uses, including residential and employment uses, convenient access to local stores, services, and *public service facilities*."

Similarly, other Growth Plan policies support opportunities for increased densities and exploring opportunities for intensification. For example:

- "2.2.6.1 a) Support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as other policies of this Plan by:
- (i) Identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents."

The proposed amendment to the Urban Lakeshore Area Secondary Plan is in keeping with the Growth Plan's emphasis on supporting growth towards the achievement of complete communities. Similarly, the proposed Zoning By-law Amendment to change the zoning of the subject lands to a modified Multiple Residential "RM3-69(H)" Zone, Modified, Holding to permit multiple dwellings will provide additional opportunities for residential purposes in a variety of housing forms. By offering a variety of residential forms and unit sizes to a walkable community with parks and nearby local stores and

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 13 of 28**

---

commercial uses, the proposed amendments would contribute to achieving a complete community.

## **Municipal Planning Policy**

### **Urban Hamilton Official Plan (UHOP)**

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations. The following Urban Hamilton Official Plan policies, amongst others, apply:

#### Neighbourhoods Designation

- “E.2.6.2 Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services;
- E.2.6.3 The Neighbourhood element of the urban structure shall be implemented through land use designations shown on Schedule E-1 – Urban Land Use Designations;
- E.2.6.4 The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including affordable housing and housing with supports;
- E.2.6.7 Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Sections B.2.4 – Residential Intensification, E.3.0 – Neighbourhoods Designation, E.4.0 – Commercial and Mixed Use Designations, and, E.6.0 – Institutional Designation;
- E.3.2.1 Areas designated Neighbourhoods shall function as *complete communities*, including the full range of residential dwelling types and densities, as well as supporting uses intended to serve the local residents.

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 14 of 28**

---

E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E -1 – Urban Land Use Designations:

- a) Residential dwellings, including second dwelling units and *housing with supports*;
- b) Open space and parks;
- c) Local *community facilities/services*; and,
- d) Local commercial uses.”

The Urban Structure generally identifies how the City will grow over time and builds upon the historic structure of the amalgamated city. The Urban Structure is based on Nodes and Corridors where the Neighbourhoods element provides the opportunity for a full range of housing forms, types and tenures while respecting stable areas with unique scale and character. As a result, the subject lands can be considered for residential development provided that the policies of Section B.2.4 – Residential Intensification are met.

#### Residential Intensification

“B.2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area, in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.

B.2.4.1.3 The residential intensification target specified in Policy A.2.3.3.4 shall generally be distributed through the built-up area as follows:

- c) 40% of the residential intensification target is anticipated to occur within the Neighbourhoods as illustrated on Schedule E – Urban Structure.

B.2.4.1.4 *Residential intensification* developments shall be evaluated based on the following criteria:

- a) a balanced evaluation of the criteria in b) through g), as follows;
- b) The relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable patterns and built forms;

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 15 of 28**

---

- c) The development's contribution to maintaining and achieving a range of dwelling types and tenures;
- d) The *compatible* integration of the development with the surrounding area in terms of use, scale, form, and character. In this regard, the City encourages the use of innovative and creative urban design techniques;
- e) The development's contribution to achieving the planned urban structure, as described in Section E.2.0 – Urban Structure;
- f) Infrastructure and transportation capacity; and,
- g) The ability of the development to comply with all applicable policies.”

More specifically, proposals in the Neighbourhood's designation are subject to the following evaluation criteria provided in Section B.2.4.2.2:

“B.2.4.2.2

- a) The matters listed in Section B.2.4.1.4;
- b) Compatibility with adjacent land uses, including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;
- c) The relationship of the proposed buildings with the height, massing, and scale of nearby residential buildings;
- d) The consideration of transitions in height and density to adjacent residential buildings;
- e) The relationship of the proposed lot with the lot pattern and configuration within the neighbourhood;
- f) The provision of amenity space and the relationship to existing patterns of private and public amenity space;
- g) The ability to respect or enhance the streetscape patterns, including block lengths, setbacks, and building separations;
- h) The ability to complement the existing functions of the neighbourhood;

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 16 of 28**

---

- i) The conservation of cultural heritage resources; and,
- j) Infrastructure and transportation capacity impacts.”

The proposed amendment will allow for residential development at an appropriate location. The intent of the UHOP is to intensify the existing built-up area in appropriate locations, with 40% of the intensification targeted to occur within Neighbourhoods. The proposed amendment to the Secondary Plan will allow for more intense development of the site than what was permitted in the Low Density Residential designation. The property is located on the periphery of the Fifty Point Neighbourhood with access to a Minor Arterial Road (North Service Road) which is a suitable location for multiple dwelling development.

As per Policy B.2.4.1.3 c), the lands subject to the UHOPA and Zoning By-law Amendment are located within the Built Boundary and are identified as Neighbourhoods, which are planned to accommodate 40% of residential intensification.

The proposed amendment to the Urban Lakeshore Area Secondary Plan contributes to a complete community by allowing for increased residential density and expansion of permitted built forms on the subject lands. By permitting a variety of residential forms and unit sizes, this amendment implements the intent and purpose of the general policies of the Neighbourhoods designation and contributes to the principle complete communities that include a full range of residential dwelling types and densities.

#### Medium Density Residential

The following policies, amongst other, apply to Medium Density Residential development:

- “E.3.5.1 Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads;
- E.3.5.2 Uses permitted in medium density residential areas include multiple dwellings except street townhouses;
- E.3.5.4 Local commercial uses may be permitted on the ground floor of buildings containing multiple dwellings, provided the provisions of Section E.3.8 – Local Commercial are satisfied;
- E.3.5.5 Medium density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities,

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 17 of 28**

---

public transit, schools, active or passive recreational facilities, and local or District Commercial uses;

- E.3.5.7 For medium density residential uses, the net residential density shall be greater than 60 units per hectare and not greater than 100 units per hectare; and,
- E.3.5.8 For medium density residential uses, the maximum height shall be six storeys.”

The subject lands are appropriate for medium density residential development. As per the UHOP, medium density residential areas are to be located on the periphery of neighbourhoods in proximity to major or minor arterial roads. The subject site is located on the periphery of the Fifty Point neighbourhood and North Service Road is designated a minor arterial roadway on Schedule C – Functional Road Classifications of the UHOP.

The proposed amendment to the Urban Lakeshore Area Secondary Plan contributes to a complete community by allowing for increased residential density on the future development of the currently vacant/underutilized property. This amendment to the Secondary Plan will expand the range of permitted residential dwellings to include all forms of multiple dwellings (block townhouses, maisonettes, etc).

The subject lands are within walking distance to a neighbourhood park (Lake Pointe Park) and Fifty Point Conservation Area which includes lakefront trails, picnic areas and outdoor activities such as boating, fishing and swimming. The subject lands are in close proximity to the bikeway and pedestrian path system identified on Map B.7.3-1 – Urban Lakeshore Area - Land Use Plan. The system provides safe access to these open space areas and other community facilities.

The development of these lands for medium density uses will function as an appropriate transition between the Queen Elizabeth Way (QEW) and North Service Road to the south and the neighbourhood to the north. This amendment proposes to expand the range of permitted residential dwellings to include different forms of townhouses as well as apartment dwellings that are not to exceed a height of nine stories.

The subject lands are located in proximity to lands zoned Community Commercial (C3) Zone (under Zoning By-law 05-200 on the westside of Lockport Way consisting of an existing commercial development (named “50 Point Market”). These zoning permissions permit uses that serve residents within the surrounding neighbourhood.

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 18 of 28**

---

## Urban Design

Urban Design policies apply to all forms of development and are provided in Section B.3.3. The following policies are noted as they are considered to be relevant to the proposed Official Plan and Zoning By-law Amendments:

### “B.3.3.1 Urban Design Goals:

- B.3.3.1.4 Create communities that are transit-supportive and promote active transportation;
- B.3.3.1.8 Promote intensification that makes appropriate and innovative use of buildings and sites, and is compatible in form and function to the character of existing communities and neighbourhoods;
- B.3.3.1.9 Encourage innovative community design and technologies;
- B.3.3.1.10 Create urban places and spaces that improve air quality and are resistant to the impacts of climate change;
- B.3.3.2.3 Urban Design Principles:
  - B.3.3.2.3 (a) Respecting existing character, development patterns, built form, and landscape;
  - B.3.3.2.3 (b) Promoting quality design consistent with the locale and the surrounding environment; and,
  - B.3.3.2.3 (g) Contributing to the character and ambience of the community through appropriate design of streetscapes and amenity areas.”

Staff carried out a massing exercise to test a variety of built forms and heights while considering the need to respect the character of the existing residential areas to the north and east of the property. There are a variety of residential built forms and site plan configurations that could be achieved on this property. The proposed zoning regulations will allow for residential development that respect the existing neighbourhood character, development patterns and built form of the Fifty Point neighbourhood.

## Urban Lakeshore Area Secondary Plan

The subject lands are currently designated “Low Density Residential 2b” on Map B.7.3-1 - Land Use Plan of the Urban Lakeshore Area Secondary Plan. The policies for the

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 19 of 28**

---

area limit the residential dwelling types to single, semi-detached and duplex dwellings, with a maximum permitted density of 29 units per net residential hectare.

The proposed amendment to the Secondary Plan will re-designate the subject lands to the “Medium Density Residential 3” (MDR3) designation in the Urban Lakeshore Area Secondary Plan. The proposed site-specific policy area allows for a broader range of housing forms than what is currently permitted in the Medium Density Residential 3 designation of the Secondary Plan (the existing MDR3 designation permits apartment buildings up to nine stories). The current MDR3 policies permit apartment dwellings but it is proposed to permit all forms of multiple dwellings (e.g. block townhouses, maisonette townhouses, apartment building). The proposed Official Plan Amendment will allow for an increase to the residential density (units per net residential hectare) permitted for the property. In keeping with the Medium Density Residential 3 designation of the Urban Lakeshore Area Secondary Plan, the maximum net residential density of 50 to 99 units per net residential hectare will remain.

Any residential development proposal would be subject to a future Site Plan Control Application. Stormwater and grading matters will be further reviewed in detail at the site plan approval stage.

This amendment to the Urban Lakeshore Secondary Plan is in keeping with the intent of the UHOP and the Urban Lakeshore Area Secondary Plan and provides a policy change that reflects the development potential of the property.

## **RELEVANT CONSULTATION**

Given operational restrictions related to public gatherings, the public session was held by way of an online webinar on March 18, 2021, from 6:00 to 8:00 p.m. 77 residents registered for the meeting and 59 participated, 31 residents provided comments and questions. The meeting was extended a further 30 minutes to 8:30 p.m. so that all questions could be read aloud. City Staff gave a live presentation sharing a power point presentation of key information which was followed by a facilitated question and answer period.

There is a high degree of interest particularly by residents of the Lake Pointe Community in the proposed amendments for 1400 Baseline Road. There were numerous comments about the proposed land use for the site and opposition to the consideration of a nine-storey building. Many questions related to understanding how the height of the building would be calculated. Of equal concern was the impact to neighbourhood traffic and parking from the potential future development of the site. City Staff were able to clarify how the density and height were determined and provided an overview through the City staff presentation. With respect to transportation concerns, City transportation staff provided information on transportation related matters drawing

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 20 of 28**

on transportation studies undertaken in the area. Comments heard from the public are contained in the Public Feedback Report attached as Appendix “F” to Report PED20002(a).

The following table summarizes departmental and agency comments:

<b>Departments and Agencies with no concerns</b>		
<p>Parks and Cemeteries, Public Works Department;  Recreation, Healthy and Safe Communities Department;  Environmental Services Department; Public Works;  Hamilton Conservation Authority, Watershed Planning;  Canada Post;  French Public School Board;  Alectra (Horizon) Utilities; and,  Niagara Escarpment Commission.</p>		
<b>Departments and Agencies with comments</b>		
	<b>Comment</b>	<b>Staff Response</b>
<p>Cultural Heritage, Development Planning, Planning and Economic Development Department</p>	<p>The subject property meets two of the ten criteria used by the City of Hamilton and Ministry of Heritage, Sport, Tourism and Culture Industries for determining archaeological potential:</p> <p>1) In an area of sandy soil in areas of clay or stone; and,  2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody.</p> <p>These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the Planning Act and Section 2.6.2 of the Provincial Policy Statement apply to the subject Application. If this Application is approved, staff</p>	<p>Planning Staff note that a holding provision will be placed on the amending by-law until such time as an Archaeological Impact Assessment is submitted by the applicant and is to the satisfaction of the of the Director of Planning.</p>

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 21 of 28**

<p>Cultural Heritage, Development Planning, Planning and Economic Development Department <b>Continued.</b></p>	<p>require that a holding provision be added for archaeology.</p> <p>Given that the designated heritage resource at 1489 Baseline Road is located at a sufficient distance from the subject site, staff are of the opinion there are not likely to be adjacency impacts to the designated heritage resource from the future development of the subject site.</p>	
<p>Capital Budgets and Development Finance, Corporate Services Department</p>	<p>There are outstanding Municipal Act Best Effort storm and watermain charges for 1400 Baseline Road. These charges are applicable as a condition of water and sewer permit issuance.</p>	<p>Noted by Planning staff.</p>
<p>Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department</p>	<p>Staff has no issues supporting the OPA/ZBA.</p> <p>The site is subject to cost recoveries along Baseline Road for the storm sewer, watermain, stormwater management pond, and the road. For information, adjustments will be required in the future to reflect the applicable flat rate at the time of Application, and the total amounts will be adjusted to reflect the Canada Cost Index.</p> <p>As this site is located within the urban boundary, sidewalk (or cash in lieu) is required along the frontage (on Baseline Road) at entirely the owner's cost.</p> <p>Any work within the municipal right-of-way (i.e. extension of sewers/watermains) will be subject to an External Works Agreement and an Environmental Compliance Application at entirely the owner's cost.</p>	<p>Noted by Planning staff.</p>

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 22 of 28**

<p>Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department <b>Continued.</b></p>	<p>A stormwater management brief will be required at site plan.</p>	
<p>Hamilton Water, Source Water Protection, Public Works</p>	<p>As a condition of Site Plan approval to the satisfaction of Director, Hamilton Water, Source Water Protection would require a Hydrogeological Brief conducted by a qualified professional (P.Eng, P.Geo) that discusses soil/groundwater conditions to properly characterize potential dewatering needs. This brief should discuss seasonal high groundwater levels, excavation depths, dewatering calculations (on a L/s and L/day basis), and if dewatering is required, groundwater quality sampling to compare against Sewer Use Bylaw criteria.</p> <p>As information, in order to comply with City of Hamilton Sewer Use Bylaw standards and Temporary Sewer Discharge Permit requirements, discharge location (manhole ID), peak dewatering rate (L/s), and representative water quality will be required.</p> <p>No long term dewatering post-construction would be supported by Hamilton Water. Foundation design should be designed accordingly. Discharging to storm sewer may require additional approvals (e.g. stormwater ECA from the Ministry of Environment, Conservation, and Parks).</p>	<p>Noted by Planning Staff.</p> <p>A condition of site plan approval will be added.</p>

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 23 of 28**

Hamilton Water, Public Works	<p>Stormwater will be addressed at the site plan approval stage.</p> <p>As staff have undertaken a verification of adequate water servicing for the landuse/populations/jobs (refer to Appendix E to Report PED20002a) staff can consider any future Application “pre-approved” should the proponent conform to the quantities in the report. If a future Application conforms, no analysis is needed.</p> <p>If an Application proposed to deviate above the proposed medium density designation (land use/population/jobs), then the applicant will have to demonstrate adequate services as part of their submission through drinking water system modelling. This also aligns in part with the Capacity Allocation objective whereby through this study we have quantified the available water servicing capacity within the 1400 Baseline block. With each successive approved development Application, the total capacity minus the aggregated sub-allocated capacities can now be managed.</p>	Noted by Planning staff.
Corridor Management, Ministry of Transportation	<p>No features which are essential to the overall viability of the site are permitted within the MTO 14 m setback area, and the MTO setback shall be from the north limit of the North Service Road right-of-way (property line). Essential features include, but are not limited to, buildings/structures (above or below grade) including shoring/tie backs, required parking spaces (required per the municipal zoning by-law), retaining walls,</p>	<p>Noted by Planning staff.</p> <p>The ZBA includes a minimum 14.0 metre setback from the rear yard for the setback from a Provincial Highway.</p>

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 24 of 28**

<p>Corridor Management, Ministry of Transportation <b>Continued.</b></p>	<p>utilities, stormwater management features, snow storage, loading spaces, fire routes, essential landscaping, etc. Please note that non-essential parking may be located within the MTO 14 m setback area and must be set back a minimum of 3 m from the property line.</p>	
<p>Ministry of the Environment, Conservation and Parks</p>	<p>No comments, no issues foreseen from the MOECP mandate. Given proximity to the QEW, noise study is recommended to determine the necessity for noise mitigation.</p>	<p>Noted by Planning staff.  A holding provision will be placed on the Zoning requiring the submission and implementation of a noise study.</p>
<p>Transportation Planning, Planning and Economic Development</p>	<p>Advised that any future access to 1400 Baseline Road will not be permitted to North Service Road or Lockport Way; access to the site must be provided to Baseline Road and align with the municipal roads to on the north side of Baseline Road.</p> <p>Advised that a Transportation Impact Study (TIS) may be required by Transportation Planning for any future site plan development Application submitted for 1400 Baseline Road. A Transportation Demand Management report is not required, however, TDM measures are required to be incorporated into the development. Prior to divesting the property, the City shall ensure that Baseline Road has a ROW of 26.213 metres. The City of Hamilton may require additional ROW on Baseline Road or an easement on the property as it appears to have a catch basin on the property across from Raintree Drive.</p>	<p>Planning Staff note that a holding provision will be placed on the amending by-law until such time as a Traffic Impact Study is submitted by the applicant and is to the satisfaction of the of the Manager of Transportation Planning.</p>

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 25 of 28**

Landscape Architectural Services, Public Works Department	Advised that they do not request cash-in-lieu of parkland dedication at this point in the planning process.	Cash-in-lieu is required to be paid at the time of issuance of the building permit and will be a condition of Site Plan.
Urban Forest Health, Public Works Department	Advised that there are no municipal tree assets on the site, and, therefore, no Tree Management Plan is required. A Landscape Plan prepared by a Registered Landscape Architect will be required, depicting the street tree planting scheme for any future development.	Planning Staff note that this requirement will be reviewed at the Site Plan Control stage.
Growth Planning, Planning and Economic Development Department	<p>Staff has no issues supporting the Official Plan Amendment.</p> <p>It should be determined if a noise study will be required as part of the "H" Holding Provision given adjacency to major roadways.</p> <p>It should be noted that any design should ensure AODA requirements along with general standard site design elements and requirements are applied.</p> <p>It should be determined if a permit is required from the Ministry of Transportation (MTO).</p> <p>It should be determined if there is sufficient servicing in the area to support the proposed density scenario.</p> <p>Any major changes to the location of the building, or the number of buildings, could lead to a change of the municipal address. An official address notice will be sent upon all Site Plan conditions being fulfilled and final approval of the Site Plan being granted.</p>	<p>Planning Staff note that a holding provision will be placed on the amending by-law until such time as a Noise Study is submitted by the applicant and is to the satisfaction of the of the Director of Planning.</p> <p>Noted. This is standard and will be addressed at Site Plan.</p> <p>Noted. This is standard and will be addressed at Site Plan.</p> <p>Hamilton Water has confirmed that there is sufficient servicing in the area for the proposed density.</p> <p>Noted. This is standard and will be addressed at Site Plan.</p>

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 26 of 28**

**Public Consultation**

Notice of a Neighbourhood Meeting was given on March 4, 2021 by way of a newspaper ad in the Stoney Creek News and the Hamilton Spectator; by way of a mailout notice to 263 residents living within an expanded circulation distance (greater than 120 metres) (refer to Appendix "G" attached to Report PED20002(a) for circulation map).

Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on January 14, 2022, by way of a newspaper ad in the Stoney Creek News and the Hamilton Spectator; by way of a mailout notice to 263 residents living within an expanded circulation distance (greater than 120 metres) (refer to Appendix "G" attached to Report PED20002(a) for circulation map) and by way of posting a sign on the property with the Planning Committee time and date.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

**Proposed Official Plan Amendment**

The proposed UHOPA will change the designation on the subject lands from the "Low Density Residential 2b" to "Medium Density Residential 3", in the Urban Lakeshore Area Secondary Plan. The UHOPA will also add a site-specific policy area to the subject lands to allow for all forms of multiple dwellings. This Policy change reflects the development potential of the property. The density permissions of 50 to 99 units per net residential hectare as per the "Medium Density Residential 3" designation will be applied to the subject lands.

1. The proposed changes have merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Policy Statement (2020) and conforms to the A Place to Grow Plan (2019, as amended). Both policy documents encourage the development of complete communities within built-up areas;
  - (ii) It complies with the general intent and purpose of the UHOP, with regards to residential intensification and complete communities in the Neighbourhoods designation. In particular, the ideal areas where medium density residential areas are to be located (on the periphery of neighbourhoods in proximity to major or minor arterial roads); and,
  - (i) The proposed amendment would be in keeping with the existing function of the Urban Lakeshore Secondary Plan by maintaining the scale, form, and character of the surrounding area while expanding the range of permitted residential dwellings to include all forms of multiple dwelling buildings. By offering a variety of residential forms and unit sizes to the neighbourhood,

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 27 of 28**

---

this amendment further supports the Urban Lakeshore Area Secondary Plan policy for the establishment of a variety of residential types.

**Proposed Amendment to the City of Stoney Creek Zoning By-law No. 3692-92**

The subject property is currently zoned Neighbourhood Development “ND” Zone within the City of Stoney Creek Zoning By-law 3692-92. The “ND” Zone is a zone whereby *“no person shall use any building, structure or land for any purpose other than for which it was used on the date of passing of the Zoning By-law”*. This zone does not currently allow for new uses, only those uses that existed on the date of passing of the By-law.

The proposed Zoning By-law Amendment will rezone the lands located at 1400 Baseline Road from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-69(H)” Zone, Modified, Holding, in the City of Stoney Creek Zoning By-law No. 3692-92 to implement the UHOPA and the Site Specific Policy Area proposed.

1. The proposed changes have merit and can be supported for the following reasons:
  - (i) The proposed amendment complies with the general intent of the UHOP and will comply with the Urban Lakeshore Area Secondary Plan upon approval of the proposed UHOPA;
  - (ii) The proposed amendment would be in keeping with the existing function of the Urban Lakeshore Secondary Plan by maintaining the scale, form, and character of the surrounding area while expanding the range of permitted residential dwellings to include all forms of multiple dwelling buildings;
  - (iii) The implementing by-law proposes modifications to the Multiple Residential “RM3” Zone which are discussed in Appendix “D” attached to Report PED20002(a); and,
  - (iv) A Holding ‘H’ Provision is recommended in order to ensure that the site can be adequately serviced and that traffic impacts are mitigated.

**ALTERNATIVES FOR CONSIDERATION**

City Council could choose to not adopt the proposed amendments and the lands would remain designated as “Low Density Residential 2b” in the Urban Lakeshore Area Secondary Plan and as Neighbourhood Development (ND) Zone in the Stoney Creek Zoning By-law No. 3692-92. This option is not preferred. By changing the designation to allow for medium density residential development and changing the zoning to

---

OUR Vision: To be the best place to raise a child and age successfully.

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: City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 1400 Baseline Road, Stoney Creek (PED20002(a)) (Ward 10) - Page 28 of 28**

---

implement the designation, this site can take advantage of its suitable location next to a minor arterial road on the periphery of the neighbourhood. In addition, Staff were directed to undertake this City initiated amendment by a Council Motion from May 14, 2019. The proposed Official Plan and Zoning By-law Amendments represent the highest and best use of the land towards the future development of the subject property.

## **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.

### **Healthy and Safe Communities**

*Hamilton is* a safe and supportive city where people are active, healthy, and have a high quality of life.

### **Built Environment and Infrastructure**

*Hamilton is* supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” - Location Map

Appendix “B” - Draft Urban Hamilton Official Plan Amendment

Appendix “C” - Draft Zoning By-law No. 3692-92 (Stoney Creek) Amendment

Appendix “D” - Zoning Modification Chart

Appendix “E” - Water Distribution Analysis for 1400 Baseline Road

Appendix “F” - Public Feedback Report

Appendix “G” - Public Notice Circulation Map

Appendix “H” - Public Comments

AM:sd

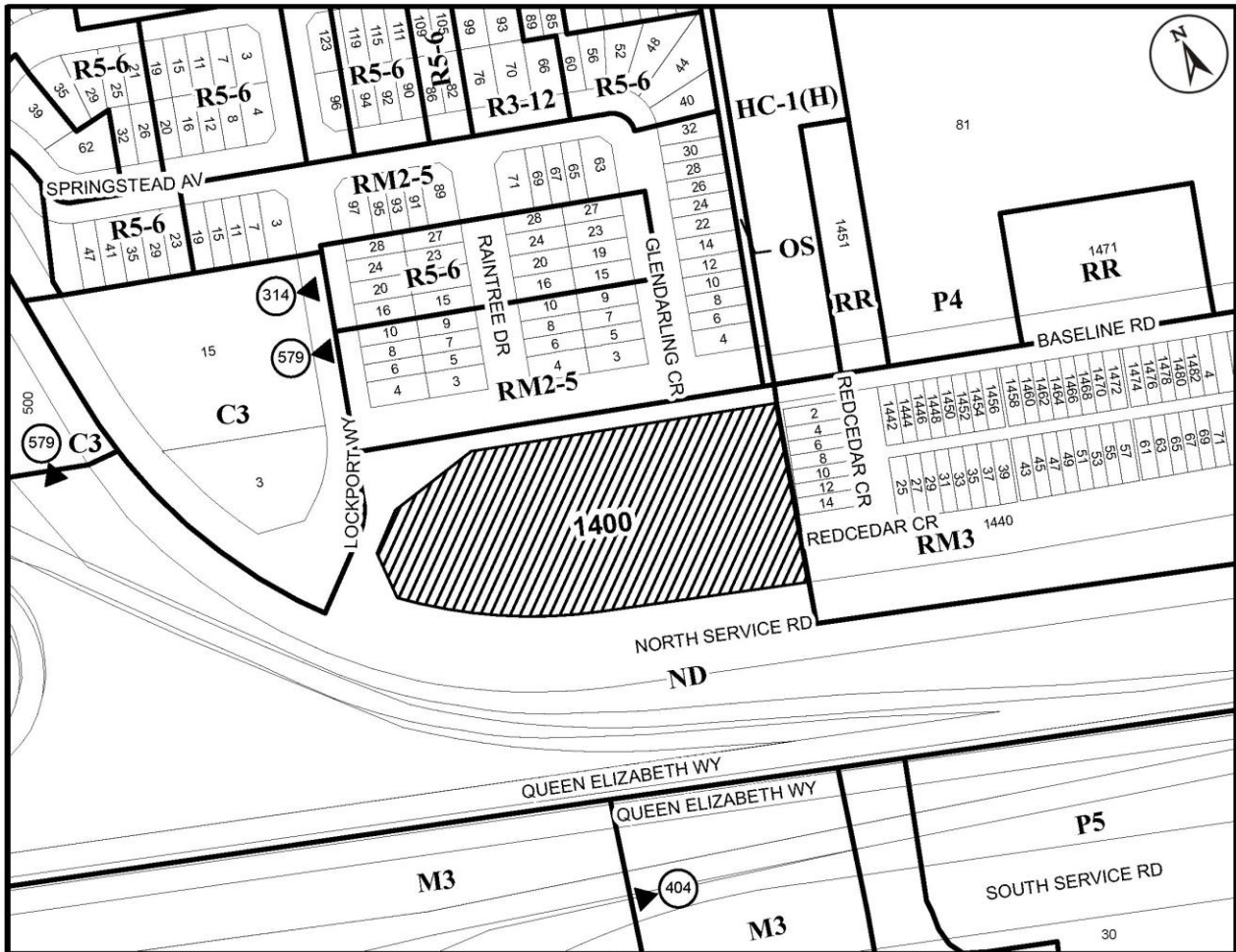
---

OUR Vision: To be the best place to raise a child and age successfully.

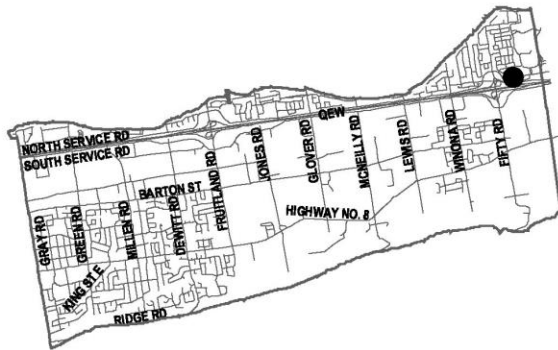
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

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





● Site Location



Key Map - Ward 10

# Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
CI-20-A

Date: February 1, 2022

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
MH/VS

## Subject Property



1400 Baseline Road, Stoney Creek  
(Ward 10)

Schedule "1"

## DRAFT Urban Hamilton Official Plan Amendment No. X

The following text, together with Appendix "A" – Volume 2: Map B.7.3-1 – Urban Lakeshore Area Secondary Plan – Land Use Plan attached hereto, constitutes Official Plan Amendment No. X to the Urban Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the Urban Lakeshore Area Secondary Plan by redesignating the subject lands and establishing a site specific policy to permit the development of multiple dwellings up to a maximum height of nine storeys.

### 2.0 Location:

The lands affected by this Amendment are known municipally as 1400 Baseline Road, in the former City of Stoney Creek.

### 3.0 Basis:

The basis for permitting this Amendment is:

- The Amendment is consistent with the policies of the Urban Hamilton Official Plan for facilitating residential intensification;
- The Amendment will support future development of the lands that is respectful of the established function and scale of the residential designations of the Urban Lakeshore Area Secondary Plan and is compatible with the existing development in the immediate area; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

### 4.0 Actual Changes:

#### 4.1 Volume 2 – Secondary Plan

**Text**

4.1.1 Chapter B.7 – Stoney Creek Secondary Plans – Section B.7.3, Urban Lakeshore Area Secondary Plan

- a. That Volume 2: Chapter B.7 – Stoney Creek Secondary Plans, Section B.7.3 – Urban Lakeshore Area Secondary Plan be amended by adding a new Site Specific Policy, as follows:

**"Site Specific Policy – Area "X"**

- B.7.3.6.X For the lands municipally known as 1400 Baseline Road, designated Medium Density Residential 3 and shown as Site Specific Policy Area X on Map B.7.3-1 Urban Lakeshore Area Secondary Plan – Land Use Plan, the following policies shall apply:
- a) In addition to Policy B.7.3.1.7 a) of Volume 2, *multiple dwellings* shall also be permitted;
  - b) The maximum height shall be nine storeys; and,
  - c) The City may require studies, in accordance with Chapter F – implementation Policies, completed to the satisfaction of the City, to demonstrate that the height, orientation, design and massing of a building does not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses.

**Maps**

4.1.2 Map

- a. That Volume 2: Map B.7.3-1 Urban Lakeshore Area Secondary Plan – Land Use Plan, be amended by:
- i) redesignating the lands from "Low Density Residential 2b" to "Medium Density Residential 3"; and,
  - ii) identifying the subject lands as Site Specific Policy – Area "X",

as shown on Appendix "A", attached to this Amendment.

**5.0 Implementation:**

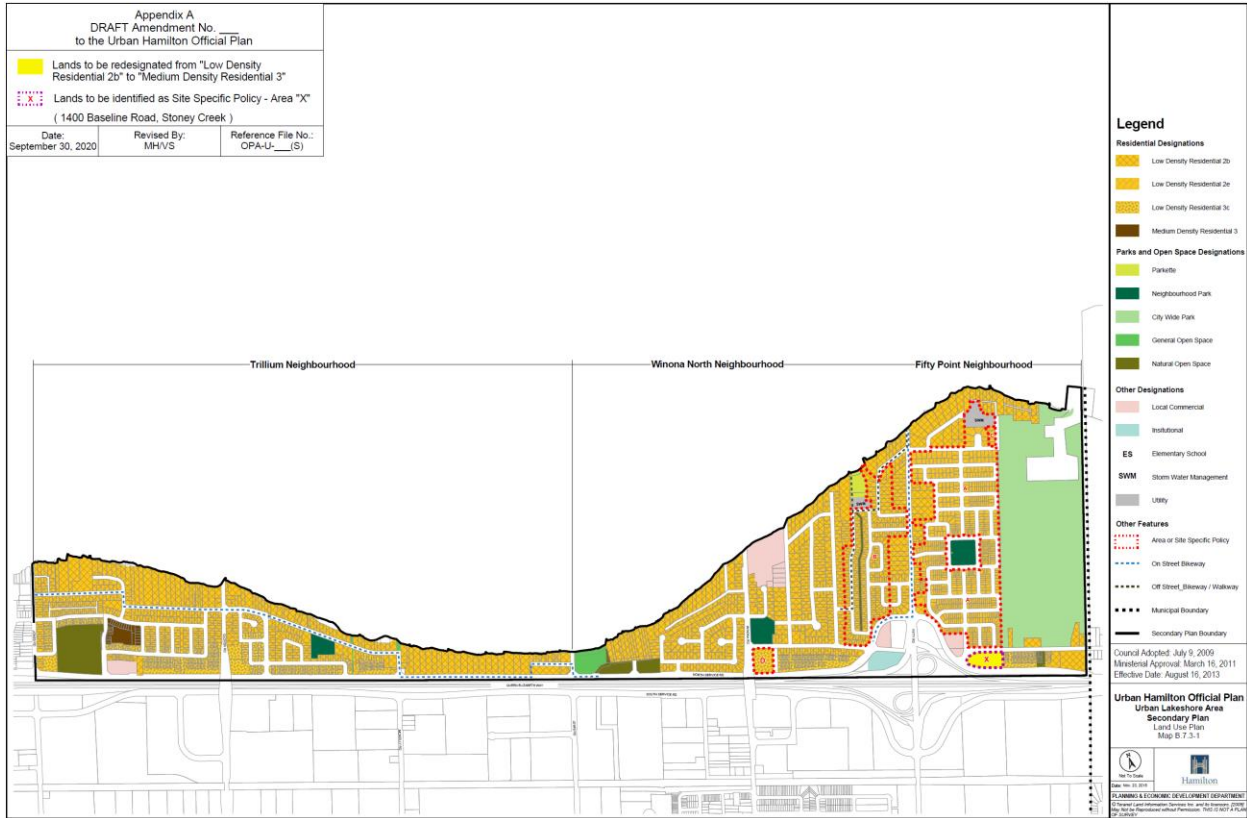
An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. \_\_\_\_\_ passed on the \_\_\_<sup>th</sup> day of \_\_, 2022.

**The  
City of Hamilton**

\_\_\_\_\_  
F. Eisenberger  
MAYOR

\_\_\_\_\_  
A. Holland  
CITY CLERK



**Appendix “C” to Report PED20002(a)**  
**Page 1 of 7**

**Authority:** Item \_\_\_\_\_, Planning Committee  
Report: PED20002a  
CM:  
Ward: 10

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. 22-\_\_\_\_\_**

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)  
Respecting Lands Located at 1400 Baseline Road (Stoney Creek)**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1<sup>st</sup>, 2001, the municipality “City of Hamilton”;

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

**AND WHEREAS** the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item XX of Meeting #XX-XXX of the Planning Committee at its meeting held on the XX<sup>th</sup> day of XXXXX, 2022, which recommended that Zoning By-law No. 3692-92, be amended as hereinafter provided; and,

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No.\_\_\_\_.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Map No. 4 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended by changing the zoning from Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-69(H)”

**Appendix "C" to Report PED20002(a)**  
**Page 2 of 7**

Zone, Modified, Holding on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A"; and,

2. That Subsection 6.10.7 "Special Exemptions", of Section 6.10 Multiple Residential "RM3" Zone, of Zoning By-law 3692-92, be amended by adding a new Special Exemption, "RM3-69(H)" Zone, Modified, Holding, as follows:

**"RM3-69(H)" Zone, Modified, Holding, 1400 Baseline Road, Schedule "A", Map No. 4**

1. For the purposes of this By-law, the property line abutting Baseline Road shall be deemed to be a front lot line; all property lines abutting Lockport Way shall be deemed to be a flankage lot lines, the southerly property line abutting North Service Road shall be deemed to be a rear lot line; and the easterly property line shall be deemed to be a side lot line;
2. Notwithstanding the permitted uses of Subsection 6.10.2 of the Multiple Residential "RM3" Zone, those lands zoned "RM3-69(H)" Zone, Modified, Holding by this By-law, only the following uses shall be permitted:
  - (a) Maisonettes;
  - (b) Townhouses;
  - (c) Apartment Dwellings;
  - (d) Dwelling Groups;
  - (e) A Home Occupation; and,
  - (f) Uses, buildings or structures accessory to a permitted use;
3. Notwithstanding the provisions of Paragraphs (d), (e), (f), (g), (i) and (j) of Section 6.10.3 of the Multiple Residential "RM3" Zone, and notwithstanding Section 4.13.1 Daylight Triangles, on those lands zoned "RM3-69(H)" Zone, Modified, Holding by this By-law, the following shall apply:
  - (a) Minimum Yard Regulations for Maisonettes, Townhouses and Dwelling Groups:
    - i) Side Yard - 7.5 metres;
    - ii) Flankage Side Yards - 7.5 metres; and,
    - iii) Rear Yard – 14.0 metres (setback from a Provincial Highway right of-way);
  - (b) Minimum Yard regulations for Apartment Dwellings:



**Appendix “C” to Report PED20002(a)**  
**Page 3 of 7**

- i) Side Yard – 30.0 metres;
  - ii) Flankage Side Yards - 7.5 metres; and,
  - iv) Rear Yard – 14.0 metres (setback from a Provincial Highway right-of-way);
- (c) Residential Density: 50 to 99 dwelling units per hectare;
- (d) Building Height:
  - i) Maisonettes and Townhouses -
    - 1. Maximum 11 metres;
  - ii) Apartment Dwellings –
    - 1. Maximum 7.5 metres façade height for any portion of a building along a street line; and,
    - 2. A building height above 7.5 metres may be equivalently increased as the yard increases beyond the minimum yard regulations established in subsection 3 (b), to a maximum of 33.0 metres;
- 4. In addition to the provisions of Section 6.10.3 of the Multiple Residential “RM3” Zone, on those lands zoned “RM3-69(H)” Zone, Modified, Holding by this By-law, the following shall apply:
  - (a) The minimum total of all the amenity areas for apartment dwellings shall be set forth in the following table:
 

<b>Type of Dwelling Unit</b>	<b>Minimum Amenity Area</b>
Bachelor Unit	1.5 square metres per unit
One Bedroom Unit	2 square metres per unit
Two Bedroom Unit	3 square metres per unit
Three Bedroom Unit	4 square metres per unit
Four Bedroom Unit	4 square metres per unit

Not less than 10 percent of the total of the amenity areas shall be provided inside the applicable apartment dwelling, and such inside area shall not be less than 93 square metres.
- 5. Section 6.10.4 shall not apply;
- 6. Section 6.10.5, Regulations for Parking, of the Multiple Residential “RM3” Zone, shall apply to lands zoned “RM3-69(H)” Zone;

**Appendix "C" to Report PED20002(a)****Page 4 of 7**

7. On those lands zoned "RM3-69(H)" Zone, Modified, Holding by this By-law, the "H" symbol may be removed by way of an amending Zoning By-law, from all of the lands subject to this provision when the following conditions have been satisfied:
  - (a) That a Traffic Impact Study has been submitted and implemented by the applicant to the satisfaction of the of the Manager of Transportation Planning, City of Hamilton;
  - (b) That the Applicant / Owner shall investigate the noise levels on the site and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner / applicant and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner;
  - (c) That the proponent shall carry out an Archaeological Assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the approval of the Director of Planning confirming that all archaeological resource concerns have met conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI);
  - (d) That the owner/applicant enters into and registers on title all applicable development agreement(s), including an External Works Agreement, and posting of appropriate securities to ensure the implementation of any infrastructure upgrade needs identified in the Traffic Impact Study recommendation(s) to the satisfaction of the Senior Director of Growth Management, City of Hamilton; and,
  - (e) City Council may remove the 'H' symbol and, thereby give effect to the "RM3-69(H)" Zone, Modified, Holding, by enactment of an amending By-law once the above conditions have been fulfilled;
8. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be

**Appendix "C" to Report PED20002(a)**  
**Page 5 of 7**

used, except in accordance with the Multiple Residential "RM3-69(H)" Zone, Modified, Holding provisions, subject to the special requirements referred to in Section 2 of this By-law; and,

9. 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 and ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

---

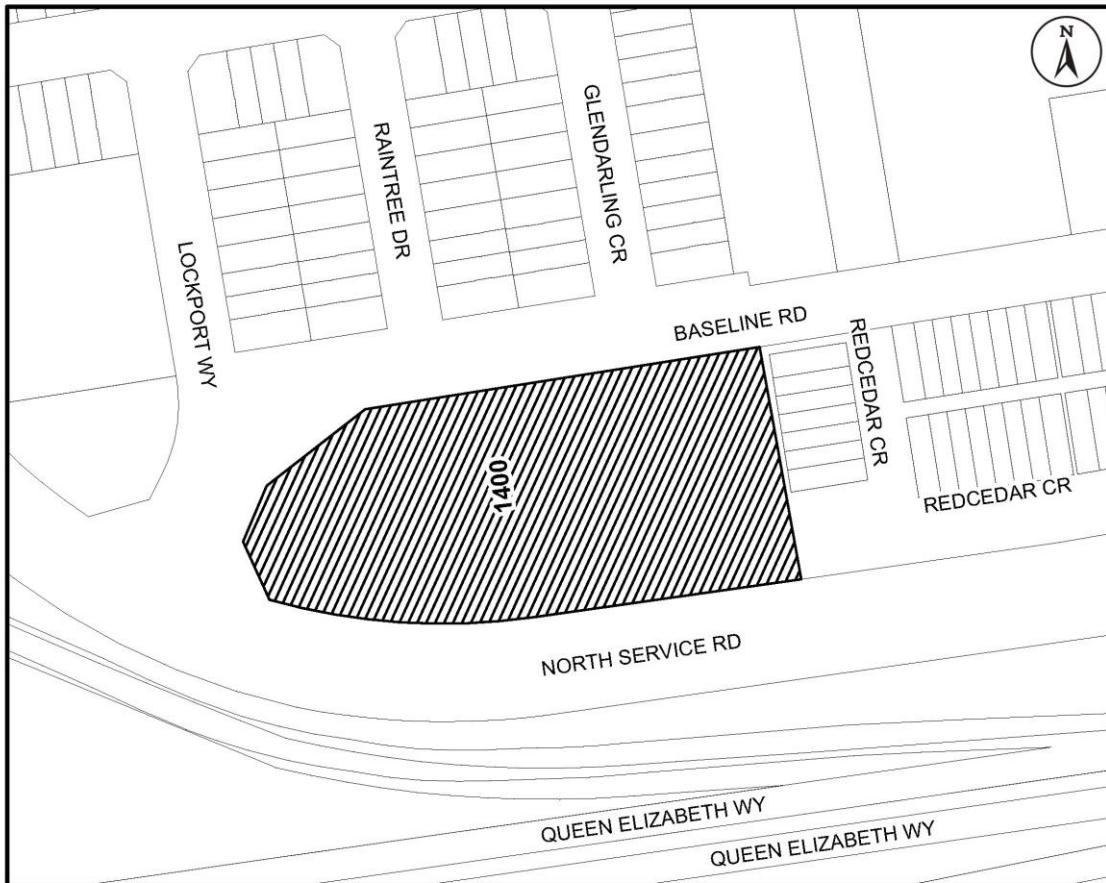
F. Eisenberger  
MAYOR

---

A. Holland  
CLERK

CI-20-A

**Appendix "C" to Report PED20002(a)**  
**Page 6 of 7**



<p>This is Schedule "A" to By-law No. 22-</p> <p>Passed the ..... day of ....., 2022</p>	<p>-----                  Mayor</p> <p>-----                  Clerk</p>
--	---

<p><b>Schedule "A"</b></p> <p><b>Map forming Part of</b></p> <p><b>By-law No. 22-_____</b></p> <p><b>to Amend By-law No. 3692-92</b></p>	<p><b>Subject Property</b></p> <p>1400 Baseline Road, Stoney Creek</p> <p> Change in zoning from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM3-69(H)" Zone, Modified, Holding</p>
--	--

Scale: N.T.S	File Name/Number: CI-20-A
Date: January 4, 2022	Planner/Technician: AM/VS
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



**Appendix "C" to Report PED20002(a)**

**Page 7 of 7**

*For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law*

Is this by-law derived from the approval of a Committee Report? Yes

Committee: PC

Report No.: CI-20-A

Date: 02/01/2022

Ward(s) or City Wide: Ward 10

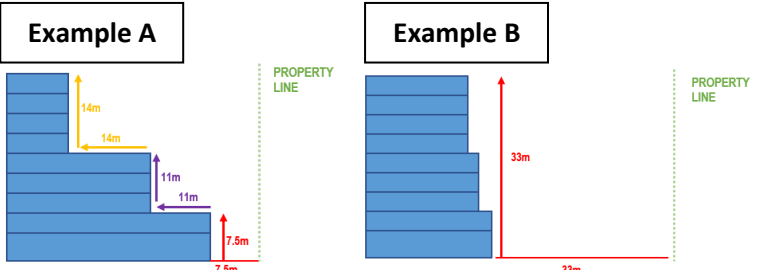
Prepared by: Alissa Mahood

Phone No: 1251

*For Office Use Only, this doesn't appear in the by-law*

**Site Specific Modifications to the Multiple Residential “RM3” Zone**

<b>Regulation</b>	<b>Required</b>	<b>Modification</b>	<b>Analysis</b>
Minimum Side Yard for Maisonettes, Townhouses and Dwelling Groups  Subsection 6.10.3 (d)	6 metres, except for 7.5 metres for a flankage yard, 7.5 metres abutting a zone for single detached, semi-detached or duplex dwellings and 3 metres where an end unit abuts a lot line of a street townhouse.	Minimum Side Yard – 7.5 metres.  Minimum Flankage Side Yard – 7.5 metres.	The proposed modification is to standardize the required side yards for Maisonettes, Townhouses and Dwelling Groups while ensuring that there is sufficient room to accommodate the dwelling groups, amenity spaces, and to ensure adequate buffering between adjacent residential properties.  Flankage Side Yard regulation has been added (Lockport Way is deemed a flankage side yard).
Minimum Rear Yard for Maisonettes, Townhouses and Dwelling Groups  Subsection 6.10.3 (f)	Minimum Rear Yard – 15.0 metres.	Minimum Rear Yard - 14.0 metres.	The proposed modification is for a minor reduction in the required rear yard setback. This regulation is intended to reflect the standard setback requirement from a Provincial Highway Right-of-Way. (All buildings, structures, required parking areas and storm water management facilities located on a property shall be setback a minimum of 14.0 metres from a Provincial Highway Right-of-Way). This is the standard Provincial requirement and has been applied to the development to the east as well.
Minimum Side Yard for Apartment Dwellings  Subsection 6.10.3 (e)	1/2 the height of the building but in no case less than 6 metres, except 7.5 metres for a flankage yard, and 9 metres abutting a zone for single detached or semi-detached dwellings.	Minimum Side Yard - 30.0 metres.	The easterly property line (adjacent to the existing residential development on Redcedar Crescent) is deemed a side yard. A 30.0 metre side yard is proposed for apartment buildings to allow for an adequate setback from the existing residential dwellings and to ensure that the building does not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses.
Minimum Rear Yard for Apartment Dwellings  Subsection 6.10.3 (g)	Minimum Rear Yard – 15.0 metres.	Minimum Rear Yard - 14.0 metres.	The proposed modification is for a minor reduction in the required rear yard setback. This regulation is intended to reflect the standard setback requirement from a Provincial Highway Right-of-Way. (All buildings, structures, required parking areas and storm water management facilities located on a property shall be setback a minimum of 14.0 metres from a Provincial Highway Right-of-Way). This is the standard Provincial requirement and has been applied to the development to the east as well.

<p>Maximum Density Subsection 6.10.3 (i)</p>	<p>Maximum Density 1. 40 units per hectare 2. 49 units per hectare if 100 percent of required tenant parking is underground or enclosed within the main building.</p>	<p>Residential Density 50 - 99 dwelling units per hectare.</p>	<p>The proposed modification is for an increase to the maximum density to implement the proposed change to the Official Plan in keeping with the Medium Density Residential 3 designation of the Urban Lakeshore Area Secondary Plan. 50 to 99 units per net residential hectare).</p>
<p>Maximum Building Height Subsection 6.10.3 (j)</p>	<p>Maximum Building Height for Apartment Dwellings - 11 metres.</p>	<p>Apartment Dwellings –  1. Maximum 7.5 metres façade height for any portion of a building along a street line; and,  2. A building height above 7.5 metres may be equivalently increased as the yard increases beyond the minimum yard regulations established in subsection 3 (b), to a maximum of 33.0 metres.</p>	<p>1. The proposed modification is for an increase to the Maximum Building Height for Apartment Dwellings. This increase is in keeping with the height permission of the Medium Density Residential 3 of the Urban Lakeshore Area Secondary Plan. This modification permits a maximum façade height of 7.5 metres for any portion of the building that fronts onto the street, requiring the upper stories to have a step back.  2. In order to increase height above the 7.5 metres façade height, the building will have to be stepped back at an equivalent distance as the height increases beyond the minimum yard regulation.</p> <div style="text-align: center;">  </div>
<p>Regulations for Street Townhouses Subsection 6.10.4</p>	<p>Street Townhouses shall be permitted in accordance with Section 6.1.10, 6.9.3, 6.9.4, and 6.9.5.</p>	<p>Section 6.10.4 shall not apply.</p>	<p>Street Townhouses are not a permitted use in the Medium Density 3 designation of the Urban Lakeshore Area Secondary Plan.</p>



# Water Distribution Analysis for 1400 Baseline Road – Stoney Creek (Final)

City of Hamilton

Project number: 60663859

November 5, 2021

## Statement of Qualifications and Limitations

The attached Report (the "Report") has been prepared by AECOM Canada Ltd. ("AECOM") for the benefit of the Client ("Client") in accordance with the agreement between AECOM and Client, including the scope of work detailed therein (the "Agreement").

The information, data, recommendations and conclusions contained in the Report (collectively, the "Information"):

- is subject to the scope, schedule, and other constraints and limitations in the Agreement and the qualifications contained in the Report (the "Limitations");
- represents AECOM's professional judgement in light of the Limitations and industry standards for the preparation of similar reports;
- may be based on information provided to AECOM which has not been independently verified;
- has not been updated since the date of issuance of the Report and its accuracy is limited to the time period and circumstances in which it was collected, processed, made or issued;
- must be read as a whole and sections thereof should not be read out of such context;
- was prepared for the specific purposes described in the Report and the Agreement; and
- in the case of subsurface, environmental or geotechnical conditions, may be based on limited testing and on the assumption that such conditions are uniform and not variable either geographically or over time..

AECOM shall be entitled to rely upon the accuracy and completeness of information that was provided to it and has no obligation to update such information. AECOM accepts no responsibility for any events or circumstances that may have occurred since the date on which the Report was prepared and, in the case of subsurface, environmental or geotechnical conditions, is not responsible for any variability in such conditions, geographically or over time.

AECOM agrees that the Report represents its professional judgement as described above and that the Information has been prepared for the specific purpose and use described in the Report and the Agreement, but AECOM makes no other representations, or any guarantees or warranties whatsoever, whether express or implied, with respect to the Report, the Information or any part thereof.

Without in any way limiting the generality of the foregoing, any estimates or opinions regarding probable construction costs or construction schedule provided by AECOM represent AECOM's professional judgement in light of its experience and the knowledge and information available to it at the time of preparation. Since AECOM has no control over market or economic conditions, prices for construction labour, equipment or materials or bidding procedures, AECOM, its directors, officers and employees are not able to, nor do they, make any representations, warranties or guarantees whatsoever, whether express or implied, with respect to such estimates or opinions, or their variance from actual construction costs or schedules, and accept no responsibility for any loss or damage arising therefrom or in any way related thereto. Persons relying on such estimates or opinions do so at their own risk.

Except (1) as agreed to in writing by AECOM and Client; (2) as required by-law; or (3) to the extent used by governmental reviewing agencies for the purpose of obtaining permits or approvals, the Report and the Information may be used and relied upon only by Client.

AECOM accepts no responsibility, and denies any liability whatsoever, to parties other than Client who may obtain access to the Report or the Information for any injury, loss or damage suffered by such parties arising from their use of, reliance upon, or decisions or actions based on the Report or any of the Information ("improper use of the Report"), except to the extent those parties have obtained the prior written consent of AECOM to use and rely upon the Report and the Information. Any injury, loss or damages arising from improper use of the Report shall be borne by the party making such use.

This Statement of Qualifications and Limitations is attached to and forms part of the Report and any use of the Report is subject to the terms hereof.

AECOM: 2015-04-13

©2009-2015 AECOM Canada Ltd. All Rights Reserved.



Quality information

<u>Prepared by</u>	<u>Checked by</u>	<u>Verified by</u>	<u>Approved by</u>
Poly Mitropoulou, M.Eng	Kevin Sze, P.Eng	Milan Kuljanin, B.Eng	Benny Wan, P.Eng

*Mitropoulou*



*[Signature]*

*[Signature]*

Revision History

Revision	Revision date	Details	Authorized	Name	Position
1	Sept 2021	Draft Report Submission v1			
2	Oct 2021	Draft Report Submission v2 (Addressed the City's comments received on Sept 28, 2021)			
3	Nov 2021	Final Report Submission			

Distribution List

# Hard Copies	PDF Required	Association / Company Name



AECOM Canada Ltd.  
105 Commerce Valley Drive West, 7th Floor  
Markham, ON L3T 7W3  
Canada

T: 905.886.7022  
F: 905.886.9494  
www.aecom.com

Ms. Alissa Mahood, MCIP, RPP  
Senior Project Manager - Community Planning & GIS  
Planning and Economic Development  
Planning City of Hamilton, ON  
L8P 4Y

November 5, 2021

**Project #**  
60663859

**Subject: Water Distribution Analysis for 1400 Baseline Road – Stoney Creek,  
City of Hamilton (Final)**

Dear Ms. Mahood,

AECOM is please to submit a Final Report for the "Water Distribution Analysis for 1400 Baseline Road – Stoney Creek".

Should you need any further information, please contact let us know.

Sincerely,  
**AECOM Canada Ltd.**

Milan Kuljanin, B.Eng  
Project Manager  
Milan.Kuljanin@aecom.com

## Table of Contents

Statement of Qualifications and Limitations  
 Distribution List  
 Letter of Transmittal

<b>1</b>	<b>Introduction .....</b>	<b>1</b>
1.1	Project Understanding .....	1
1.2	Scope of Work.....	2
<b>2</b>	<b>Water System Description .....</b>	<b>3</b>
<b>3</b>	<b>Hydraulic Model Update.....</b>	<b>3</b>
3.1	Water Demand .....	4
3.1.1	Design Criteria.....	4
3.1.2	Demand Calculations.....	4
<b>4</b>	<b>Model Validation .....</b>	<b>5</b>
<b>5</b>	<b>Hydraulic Modelling Analysis .....</b>	<b>6</b>
5.1	Modelling Scenarios .....	6
5.2	Supply Boundary Conditions.....	6
5.3	System Analysis Criteria .....	6
5.4	Network Analysis Results.....	6
5.4.1	Proposed Development Serviceability .....	6
5.4.2	PD1 Hydraulic Implications .....	8
<b>6</b>	<b>Conclusions / Recommendations .....</b>	<b>10</b>
	<b>Appendix A – Water Demand Calculations.....</b>	<b>11</b>
	<b>Appendix B - Fire Hydrant Flow Tests .....</b>	<b>12</b>
	<b>Appendix C - Model Validation Summary.....</b>	<b>13</b>
	<b>Appendix D - PD1 Minimum Pressure Location Map.....</b>	<b>14</b>

## Figures

Figure 1-1: Site Location - 1400 Baseline Road, Stoney Creek .....	1
Figure 3-1: Model Layout for 1400 Baseline Road, Stoney Creek development.....	3
Figure 5-1: Minimum System Pressure under Future PHD with Boundary Condition No.1 .....	9

## Tables

Table 3.1: Design Criteria.....	4
Table 3.2: Water Demand Summary .....	4
Table 5-1: Subdivision System Pressure .....	7
Table 5.2: Available Fire Flow Results.....	7
Table 5-3: PD1 Minimum Pressure.....	8
Table 5.4: PD1 Min. Pressure under MDD+FF conditions.....	9

# 1 Introduction

## 1.1 Project Understanding

The City of Hamilton is initiating an amendment to the Urban Lakeshore Area Secondary Plan and a Zoning By-law amendment for the lands located at 1400 Baseline Road, Stoney Creek. The proposed population density (identified as Medium Density Residential 3) on the subject site exceeds the original design density assumptions (identified as Low Density Residential 2b). The City requires a hydraulic analysis using their current water distribution hydraulic model to evaluate the hydraulic impact of the proposed development on the City's PD1 water system under this proposed land use designation (Medium Density Residential 3).

The subject development, the location of which is shown in **Figure 1-1**, covers approximately 1.17 ha block of land, located within the City's Pressure District 1 (PD1). Water servicing for the subject lands could be provided by the following watermains in the vicinity of the site:

- Existing 300 mm diameter municipal watermain on Baseline Road.
- Existing 300 mm diameter municipal watermain on Lockport Way.
- Existing 400 mm diameter municipal watermain on North Service Road.



**Figure 1-1: Site Location - 1400 Baseline Road, Stoney Creek**

## 1.2 Scope of Work

The present study consists of the following tasks:

- Conduct two (2) fire hydrant flow tests along the existing watermains near the potential watermain connection by AECOM's sub-consultant, Vipond, to support model validation.
- Perform model validation to enhance the current hydraulic modelling accuracy by comparing modelling results with the fire flow testing results along the existing pipelines in the vicinity of the proposed development.
- Estimate water demands for the proposed development.
- Complete hydraulic analysis for existing (2021) and future (2031) scenarios to demonstrate serviceability for the proposed development under average day (ADD), maximum day (MDD) and peak hour (PHD) demand conditions, and confirm available fire flow (MDD plus FF scenario) for the development based on the supply boundary conditions and analysis criteria presented in **Section 5.2** and **Section 5.3**
- Review the hydraulic implications to the City's PD1 system under pre- and post- development conditions.
- Evaluate the impact to the PD1 system with the proposed development to demonstrate adequate services when no nodes in PD1 (excluding the pumping station suction pipelines from PD1 reservoirs) fall below 20 psi under maximum day plus fire condition.
- Identify any water infrastructure upgrades needed to meet the analysis criteria.



## 2 Water System Description

The subject development is located within the City’s Pressure District 1 (PD1) of the Hamilton water supply system. PD1 receives water directly form the Woodward Avenue High Lift Pumping Station (HWHLPS) and includes three balancing reservoirs: the Kenilworth Access Reservoir (HDR01), the Greenhill Avenue Reservoir (HDR1B) and the Dewitt Road and Ben Nevis Drive Reservoir (HDR1C), providing water storage and maintaining system pressure for PD1.

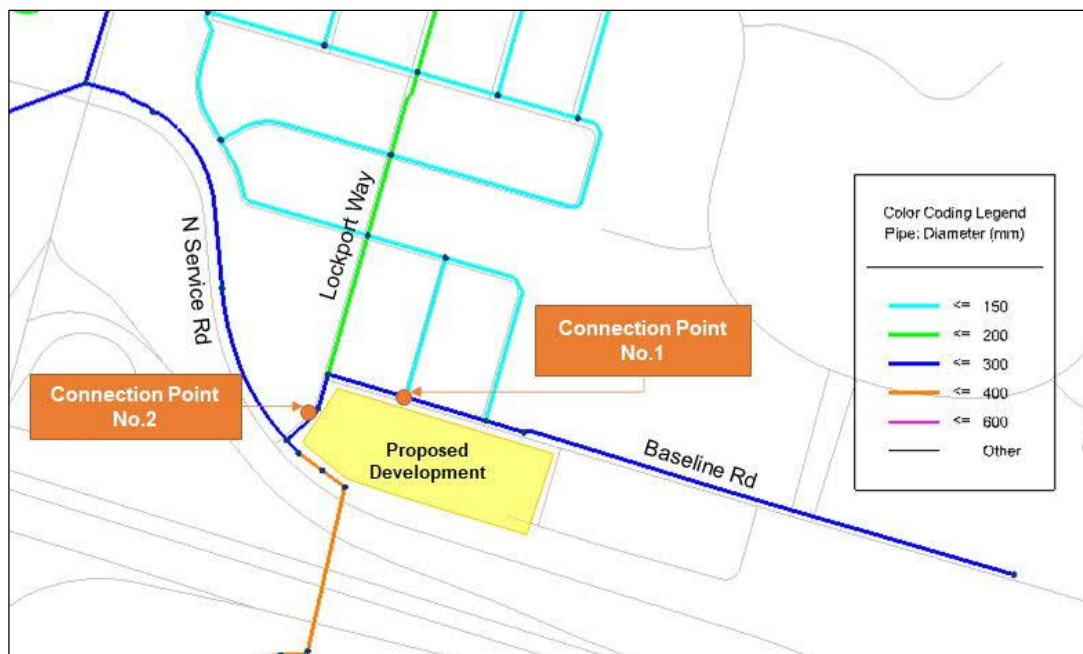
The top water level (TWL) is 133.4 m in these three (3) reservoirs. The low water level (LWL) is 122.6 at the HDR1B reservoir, and 124.7 at the HDR1C and HDR01 reservoirs.

## 3 Hydraulic Model Update

The current WaterCAD hydraulic model was provided by the City of Hamilton and used as a baseline model for this study. The model was updated to include the water demand for the proposed development. Water servicing for the subject lands was assumed to be provided by the following proposed watermain connections to the existing watermains in the vicinity of the site:

- Connection Point 1: Existing 300 mm diameter municipal watermain on Baseline Road.
- Connection Point 2: Existing 300 mm diameter municipal watermain on Lockport Way.

Water demands for the development were distributed and allocated among two modelling junctions (Connection Point No.1 and Connection Point No.2) along the above two watermain as shown in **Figure 3-1**. The Connection Point No. 2 junction was added to the model and assigned an elevation extracted from the City’s contour information.



**Figure 3-1: Model Layout for 1400 Baseline Road, Stoney Creek development**

### 3.1 Water Demand

#### 3.1.1 Design Criteria

As per the City of Hamilton Water and Wastewater Master Plan 2006, the water demands for the proposed development are based on the design parameters as summarized in **Table 3.1**.

**Table 3.1: Design Criteria**

Criterion	Value
<b>Proposed Total Units</b> (One 9 storey and townhouses/ maisonettes)	112 units*
<b>Population Density</b>	
Townhouse/Maisonette	2.44 persons/unit*
Apartment/Stacked Townhouses	1.66 persons/unit*
<b>Average Day Demand (ADD) Consumption Rate</b>	360 L/ca/day
<b>Maximum Day Demand (MDD) Peaking Factor</b>	1.9 x ADD
<b>Peak Hour Demand (PHD) Peaking Factor</b>	3 x ADD
<b>Required Fire Flow (Residential Multi)</b>	150 L/s*

Notes

\* As per the Functional Servicing Report Scope and Details provided by the City

#### 3.1.2 Demand Calculations

The average day demand for the proposed development area was calculated by multiplying the number of units with the population density and average day demand consumption rate, all provided in **Table 3.1**. The area includes a mix of townhouses / maisonettes and apartments/stacked townhouses. The peaking factors of 1.9 and 3 were used to estimate the maximum day demand and peak hour demand based on the average day demand, respectively.

The calculated water demands for the proposed development are summarized in **Table 3.2**. Detailed demand calculations are shown in **Appendix A**.

**Table 3.2: Water Demand Summary**

Demand Condition	Demand (L/s)
<b>Average Day Demand (ADD)</b>	0.9
<b>Maximum Day Demand (MDD)</b>	1.7
<b>Peak Hour Demand (PHD)</b>	2.7

## 4 Model Validation

In order to confirm the available system head / pressure along the existing pipelines in the vicinity of the development site, two (2) fire hydrant flow tests were carried out by Vipond Inc. at hydrants connected to the existing water pipelines along Baseline Road and North Service Road on August 12, 2021. The location of the hydrant flow tests and results are included in [Appendix B](#).

Based on the fire flow test results, the detected static pressure was approximately 72 psi (or 496 kPa) corresponding to system head of approximately 133 m at the site location. The maximum pressure / system head dropped by approximately 9 psi (6 m), when the hydrant was flowing at a rate of 134 L/s.

The updated WaterCAD model was used to simulate the fire flow test results and system pressures. The modelling outputs were compared with the fire flow test results (as shown in [Appendix C](#)). The system head difference between the field measurements and simulated results at each of the two hydrant test locations is within 4.3 psi. The model results meet the general guideline for model calibration (HGL calibration within +/- 2.2 psi to 4.3 psi) as suggested by AWWA M32. The model was considered adequately reliable for simulating hydraulic performance for the existing and future development conditions.

It was assumed that system experienced maximum day demand condition at the time of field testing; therefore, model results under existing MDD condition was compared with the field data. The following existing system operations were used in the model calibration based on the review of SCADA data provided by the City during the fire flow tests:

- Three (3) PD1 reservoirs operating water levels:
  - 68% full water level (system head of 130.6 m) at the HDR1C reservoir.
  - 68% full water level (system head of 129.9 m) at the HDR1B reservoir.
  - 57% full water level (system head of 129.6 m) at the HDR01 reservoir.
- Two (2) pumps online (e.g., Pumps PMP-5 and PMP-6) at the Woodward Avenue High Lift Pumping Station.

## 5 Hydraulic Modelling Analysis

### 5.1 Modelling Scenarios

The steady-state modelling analysis was completed for the existing (2021) and future (2031) system conditions under the following demand conditions:

- Average Day Demand scenario
- Maximum Day Demand scenario
- Peak Hour Demand scenario
- Maximum Day Demand plus Fire Flow scenario.

### 5.2 Supply Boundary Conditions

For each scenario the following two different supply boundary conditions were examined, provided by the City:

- **PD1 Supply Boundary Condition No. 1**
  - No pumps ON at PD1 Woodward Avenue High Lift pumping station (reservoir supply only).
  - 50% full water levels at PD1 Reservoirs (HDR01, HDR1B and HDR1C @ 129.0m, 128.0m and 129.0m respectively).
- **PD1 Supply Boundary Condition No. 2**
  - No pumps ON at PD1 Woodward Avenue High Lift pumping station (reservoir supply only).
  - 75% full water levels at PD1 Reservoirs (HDR01, HDR1B and HDR1C @ 131.2m, 130.7m and 131.2m respectively).

### 5.3 System Analysis Criteria

The following system pressure requirements were used to assess the system's capacity:

- Minimum Pressure under Normal Operating Conditions: 40psi/275kPa
- Maximum Pressure under Normal Operating Conditions: 100psi/700kPa
- Minimum Pressure under MDD plus Fire Flow Conditions: 20psi/140kPa

### 5.4 Network Analysis Results

The updated hydraulic network model was used to confirm the serviceability for the proposed development under various demand conditions (ADD, MDD, PHD for years 2021 and 2031) and confirm available fire flow (MDD plus FF scenario). In addition, the hydraulic Implications to the City's PD1 system were reviewed under the pre- and post-development conditions. Detailed results of the modelling analysis are presented in the following sections.

#### 5.4.1 Proposed Development Serviceability

##### Normal Operating Conditions

The system pressures at the proposed Connection Points (No.1 and No.2) ranges between 51 psi (350 kPa) and 68 psi (470 kPa) under the normal system operating conditions for the existing (2021) and future (2031) conditions with the PD1 supply boundary conditions (No.1 and No.2). The modelling results showed

that the system pressure would meet the system pressure criteria for both under the existing and future system conditions.

The modelling results from the serviceability analysis for the proposed development are summarized in **Table 5-1**.

**Table 5-1: Subdivision System Pressure**

Modelling Scenario	System Pressure (psi / kPa)			
	Supply Boundary Condition No. 1		Supply Boundary Condition No. 2	
	Connection Point No.1	Connection Point No.2	Connection Point No.1	Connection Point No.2
<b>2021 ADD</b>	65.0 / 448.0	64.8 / 446.6	68.1 / 469.5	67.9 / 468.2
<b>2021 MDD</b>	60.4 / 416.2	60.2 / 414.9	63.5 / 437.7	63.3 / 436.4
<b>2021 PHD</b>	53.2 / 366.7	53.0 / 365.4	56.3 / 388.3	56.1 / 386.9
<b>2031 ADD</b>	64.7 / 446.0	64.5 / 444.6	67.8 / 467.5	67.6 / 466.1
<b>2031 MDD</b>	59.3 / 409.0	59.1 / 407.6	62.4 / 430.5	62.2 / 429.2
<b>2031 PHD</b>	50.9 / 350.8	50.7 / 349.5	54.0 / 372.4	53.8 / 371.0

Fire Flow Analysis

The Maximum Day Demand plus Fire Flow scenario was evaluated from the available fire flow at the two Connection Points for the development while maintaining the minimum pressure of 20 psi (140 kPa) for the junction nodes within the PD1 system (excluding nodes near the reservoir and pumping station facilities). The fire flow analysis results were compared with the required fire flow of 150 L/s for the residential development to determine the serviceability in the system.

Based on the fire flow simulations, the minimum available fire flows at the proposed Connection Points (No.1 and No.2) under the exiting and future water system with the PD1 supply boundary conditions were greater than the required fire flow of 150 L/s for residential development.

**Table 5.2** summarizes the results of the fire flow analysis.

**Table 5.2: Available Fire Flow Results**

Modelling Scenario	Available Fire Flow (l/s)			
	Supply Boundary Condition No. 1		Supply Boundary Condition No. 2	
	Connection Point No.1	Connection Point No.2	Connection Point No.1	Connection Point No.2
<b>2021 MDD plus Fire Flow</b>	359	410	370	425
<b>2031 MDD plus Fire Flow</b>	348	365	364	416

### 5.4.2 PD1 Hydraulic Implications

#### Normal Operating Conditions

Based on the modelling results the minimum pressure in PD1 is expected to have minimal impact before and after the inclusion of the development area under both existing (2021) and future (2031) system conditions. The minimum pressure is observed at the junction with Model ID HB24T001 (near the PD boundary – the location of this junction is shown in **Appendix D**).

Detailed modelling results from this analysis are presented in **Table 5-3**.

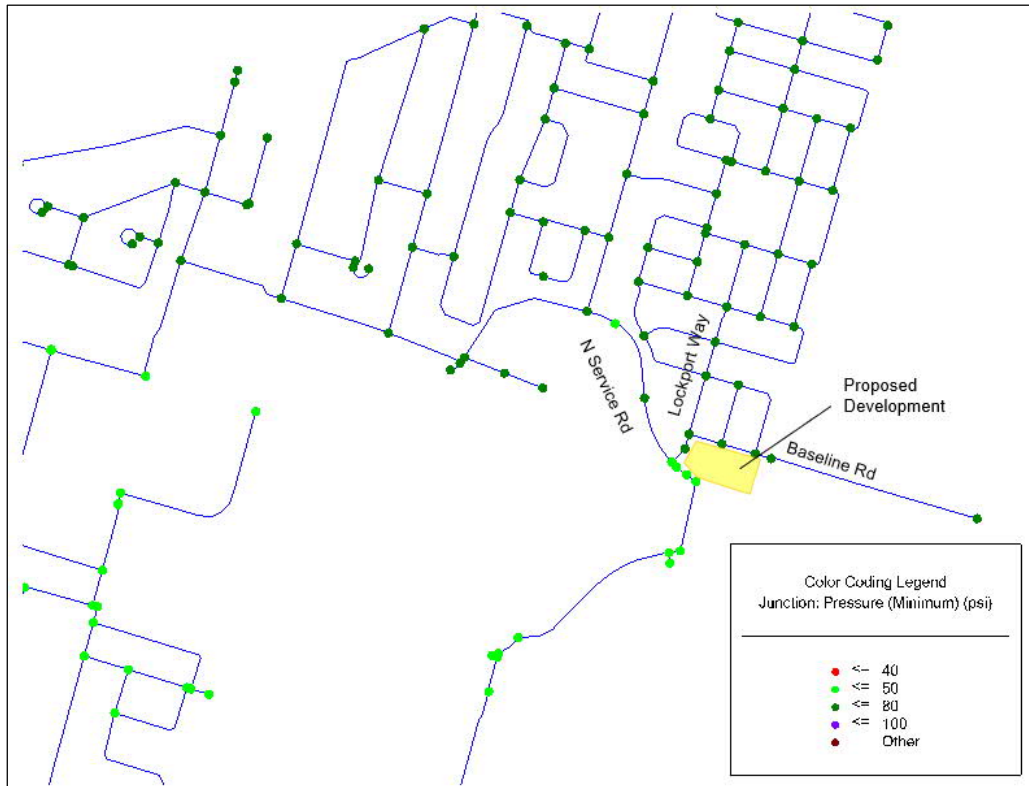
**Table 5-3: PD1 Minimum Pressure**

Modelling Scenario	Min. Pressure in PD1 (psi / kPa)			
	Supply Boundary Condition No. 1		Supply Boundary Condition No. 2	
	Pre-Development	Post-Development	Pre-Development	Post-Development
<b>2021 ADD</b>	38.3 / 263.8	38.3 / 263.8	41.4 / 285.3	41.4 / 285.3
<b>2021 MDD</b>	36.2 / 249.5	36.2 / 249.4	39.3 / 271.0	39.3 / 271.0
<b>2021 PHD</b>	32.9 / 227.1	32.9 / 227.0	36.1 / 248.6	36.1 / 248.6
<b>2031 ADD</b>	38.2 / 263.3	38.2 / 263.3	41.3 / 284.8	41.3 / 284.8
<b>2031 MDD</b>	35.9 / 247.5	35.9 / 247.5	39.0 / 269.0	39.0 / 269.0
<b>2031 PHD</b>	32.3 / 222.6	32.3 / 222.5	35.4 / 244.1	35.4 / 244.0

Note:

\* Minimum pressure observed at node with Model ID JCT HB24T001. Exclude the nodes close to facilities (water storage reservoirs and pumping stations) and along escarpment (or PD boundary) from the pressure comparisons.

In addition, a buffer area (e.g., 500 m radius) was created to establish the area of influence around the proposed development. The model results confirmed that the service pressure within the buffer area around the proposed development will not drop below 40 psi (275 kPa) as a result of the proposed development under the conservative modelling scenario (i.e., future 2031 PHD condition with PD1 supply boundary condition No.1). **Figure 5-1** shows a model screenshot for the graphical representation of minimum system pressures within the buffer area around the proposed development under the conservative modelling scenario run.



**Figure 5-1: Minimum System Pressure under Future PHD with Boundary Condition No.1**

Fire Flow Analysis

The simulation run was conducted to evaluate the impact to the PD1 distribution system with the proposed development for the existing and future MDD plus fire condition under the PD1 supply boundary conditions. The fire flow requirement of 150 L/s for the development was used for the evaluation.

Based on the modelling results presented in **Table 5.4** for the proposed development, the minimum system pressure of 20 psi (140 kPa) can be maintained within the PD1 distribution system (excluding the nodes near the pumping station and reservoir facilities) under the MDD plus required fire flow condition for the proposed development.

**Table 5.4: PD1 Min. Pressure under MDD+FF conditions**

Modelling Scenario	PD1 Min. Pressure (psi / kPa)	
	Supply Boundary Condition No. 1	Supply Boundary Condition No. 2
<b>2021 MDD plus Fire Flow of 150 L/s</b>	24.5 / 169.3	27.6 / 190.7
<b>2031 MDD plus Fire Flow of 150 L/s</b>	24.2 / 167.2	27.3 / 188.6



## 6 Conclusions / Recommendations

The completion of the hydraulic modelling analysis led to the following conclusions and recommendations:

- The modelling results indicate that the anticipated system pressures at the proposed Connection Points (No.1 and No.2) meet the pressure requirements between 275 kPa and 700 kPa for the normal operating conditions (i.e., average day, maximum day and peak hour) under the existing (2021) and future (2031) water system conditions. With the PD1 water network, adequate flow and pressure are available to service the proposed development (Medium Density Residential 3 designation) under the normal operating conditions.
- Fire flow analysis results show that the PD1 water network is sufficient to provide adequate fire flow and pressure for the proposed residential development under the existing and future water system conditions.
- Based on the modelling results, the proposed development does not impact the minimum pressure in the City's PD1 system under both existing and future water system conditions.
- Adequate water service was maintained where no nodes in PD1 system (excluding near the pumping station and reservoir facilities) fall below 20 psi (140 kPa) under the existing and future MDD plus fire condition for the proposed development.

## Appendix A – Water Demand Calculations

**Water Demand Calculations**

**Table 1: Design Criteria Used In Water Demand Calculations**

Criterion	Value	Unit
Average Day Demand (ADD) Consumption Rate	360	l/d/cap
Maximum Day Demand (MDD) Peaking Factor	1.9 x ADD	-
Peak Hour Demand (PHD) Peaking Factor	3.0 x ADD	-

**Table 2: Water Demand Calculations**

Land Use	Number of Units	Population Density (people per unit)	Population (people)	Water Demand (L/s)		
				Average Day Demand (ADD)	Maximum Day Demand (MDD)	Peak Day Demand (MDD)
<b>Townhouses/ Maisonettes</b>	40	2.44	98	0.4	0.8	1.2
<b>One 9 storey Apartment</b>	72	1.66	120	0.5	0.9	1.5
<b>Total</b>	<b>112</b>	<b>-</b>	<b>217</b>	<b>0.9</b>	<b>1.7</b>	<b>2.7</b>

## Appendix B - Fire Hydrant Flow Tests

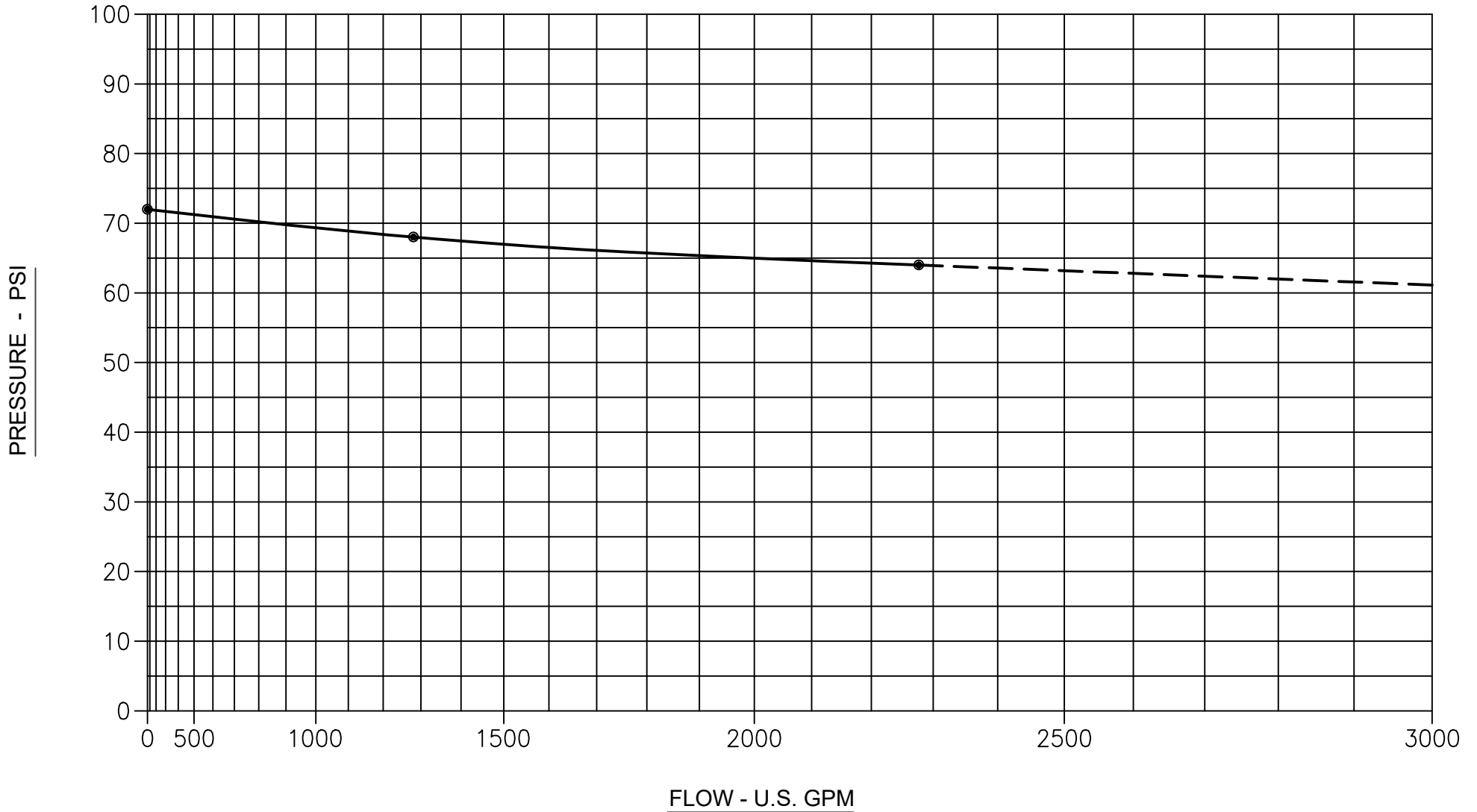






1400 BASELINE ROAD	BY : VIPOND	1 OF 1
STONEY CREEK, ONTARIO	OFFICE : STONEY CREEK	
	TEST BY : VIPOND & P.U.C.	
	DATE : AUGUST 12, 2021	11:00 AM

STATIC : 72 PSI  
68 PSI @ 1280 GPM  
64 PSI @ 2280 GPM



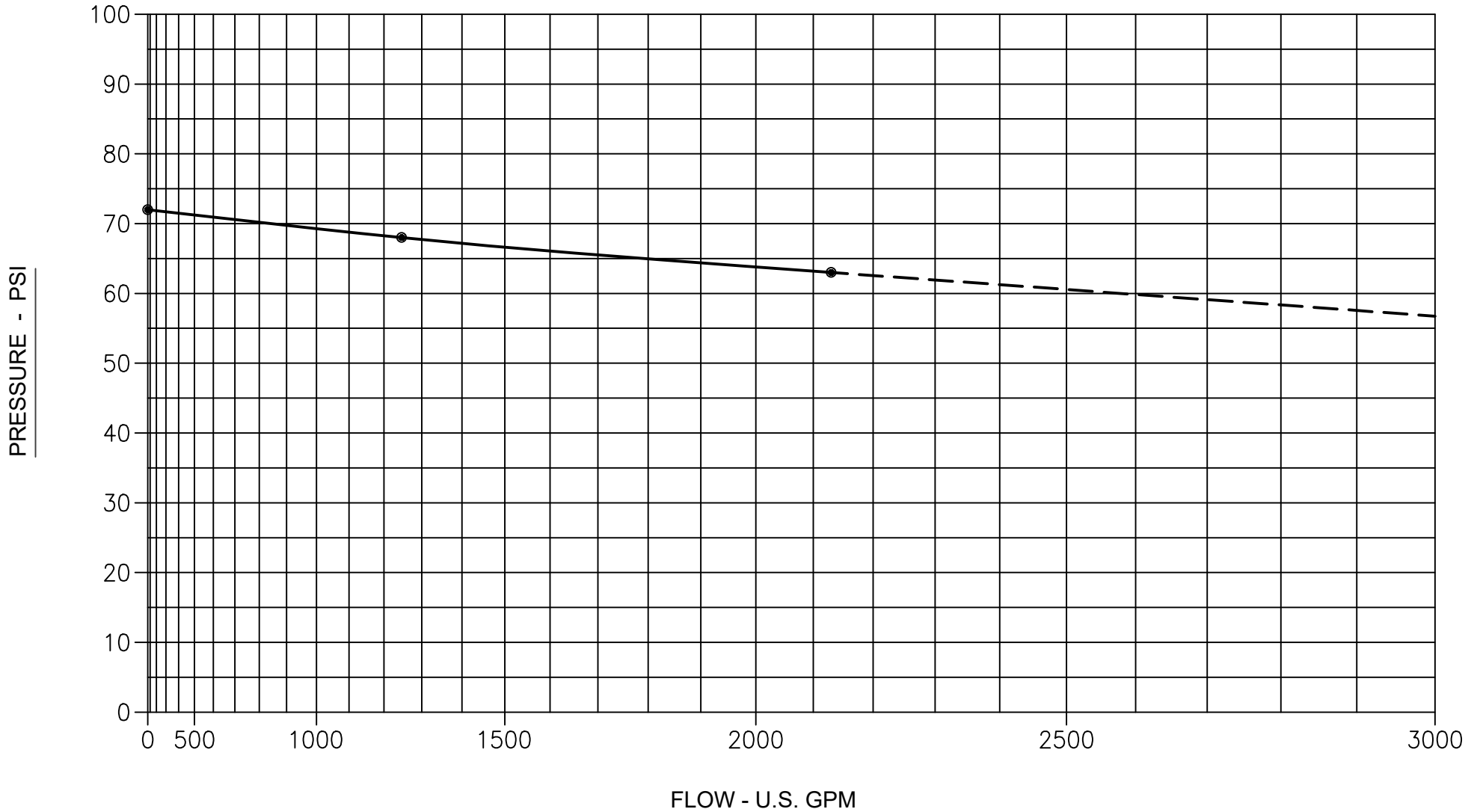






N SERVICE ROAD & LOCKPORT WAY	BY : VIPOND	1 OF 1
STONEY CREEK, ONTARIO	OFFICE : STONEY CREEK	
	TEST BY : VIPOND & P.U.C.	
	DATE : AUGUST 12, 2021	10:00 AM

STATIC : 72 PSI  
68 PSI @ 1235 GPM  
63 PSI @ 2130 GPM

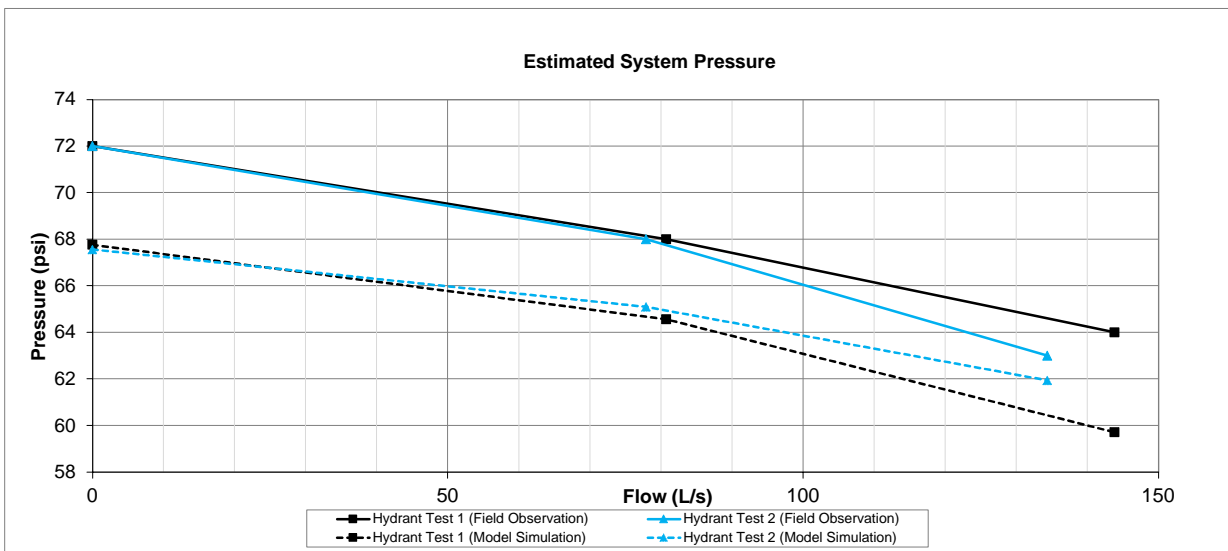
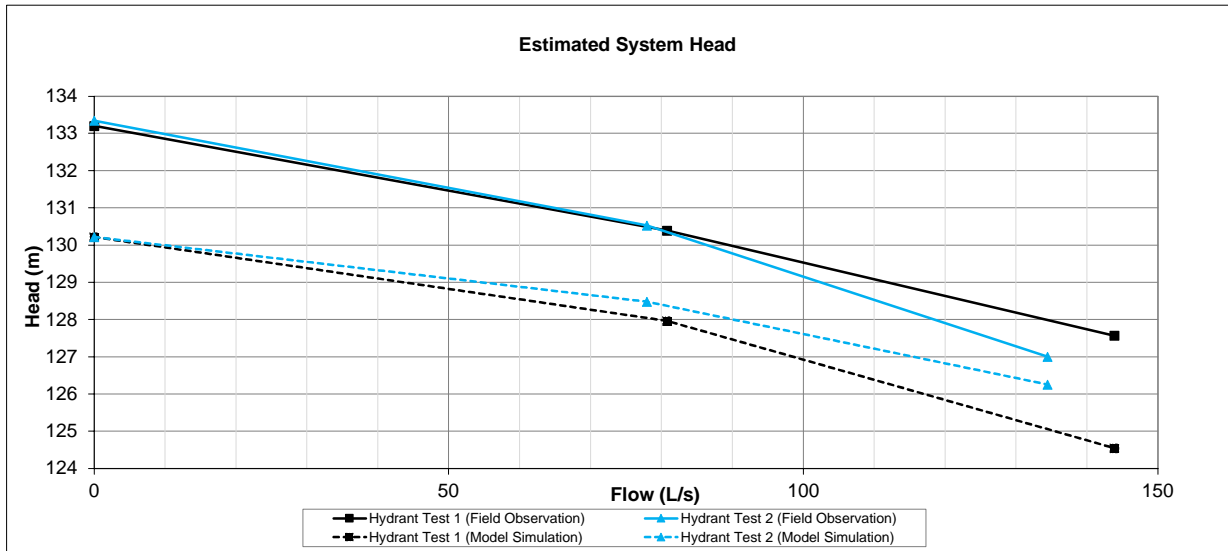


## Appendix C - Model Validation Summary

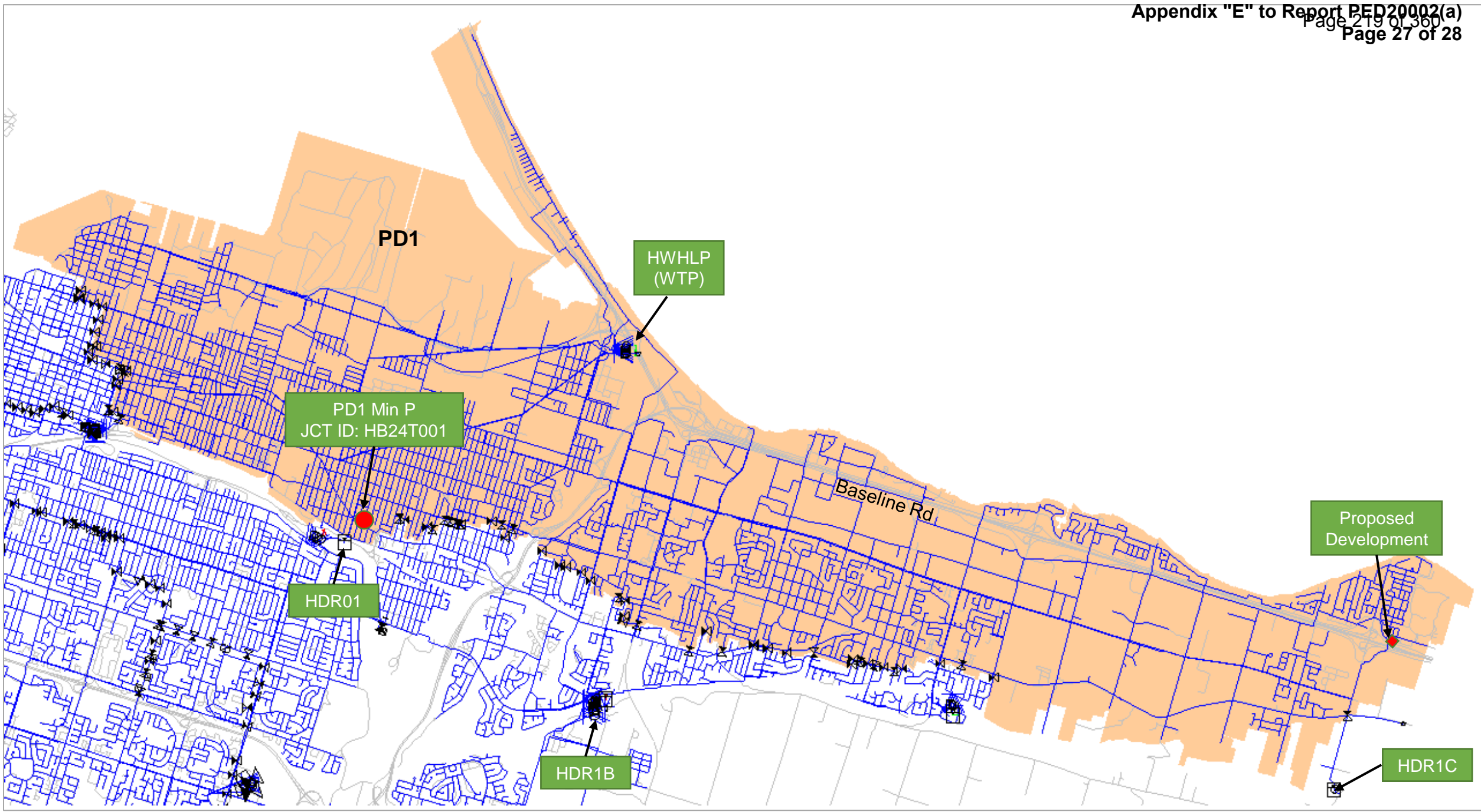
Model Validation Results

Test 1													
Location of Residual Hydrant (for Pressure Measurement)	Location of Flow Hydrant (for Flow Measurement)	Date/Time	Elevation (m)	Flow		Pressure (Field Observation)			Head (Field Observation)	Head (Model Simulation)	Pressure (Model Simulation)	Model Boundary Condition	
				USGPM	L/s	(psi)	(m)	kPa	(m)	(m)	(psi)		
1400 Baseline Road	1401 Baseline Road	August 12, 2021 11:00 AM	82.5	0	0	72	51	496	133.2	130.2	68	2 pumps ON @ HLPS; 68% full at HDR1B, HDR1C & 57% at HDR01	
Residual Hydrant Model ID SA01T066	Flow Hydrant Model ID J-457			1280	81	68	48	468	130.4	128.0	65		
				2280	144	64	45	441	127.6	124.6	60		

Test 2													
Location of Residual Hydrant (for Pressure Measurement)	Location of Flow Hydrant (for Flow Measurement)	Date/Time	Elevation (m)	Flow		Pressure (Field Observation)			Head (Field Observation)	Head (Model Simulation)	Pressure (Model Simulation)	Model Boundary Condition	
				USGPM	L/s	(psi)	(m)	kPa	(m)	(m)	(psi)		
N Service Road & Lockport	N Service Road & Lockport	August 12, 2021 10:00 AM	82.6	0	0	72	51	497	133.3	130.2	68	2 pumps ON @ HLPS; 68% full at HDR1B, HDR1C & 57% at HDR01	
Residual Hydrant Model ID J-459	Flow Hydrant Model ID J-458			1235	78	68	48	470	130.5	128.5	65		
				2130	134	63	44	435	127.0	126.3	62		



## Appendix D - PD1 Minimum Pressure Location Map



AECOM Canada Ltd.  
105 Commerce Valley Drive West  
7th Floor  
Markham, ON L3T 7W3  
Canada

T: 905.886.7022  
F: 905.538.8076  
aecom.com





Hamilton

**LET'S TALK!**  
**STONEY CREEK**

**1400 BASELINE ROAD,  
STONEY CREEK**

**CITY INITIATED OFFICIAL PLAN AND ZONING  
AMENDMENTS  
FOR 1400 BASELINE ROAD**

**VIRTUAL PUBLIC INFORMATION MEETING  
MARCH 18, 2021  
PUBLIC FEEDBACK REPORT**

Due to the ongoing Covid-19 pandemic, all consultations within the City are being held virtually to protect the health and safety of Hamilton residents and staff.

**CITY INITIATED OFFICIAL PLAN AND ZONING AMENDMENTS  
FOR 1400 BASELINE ROAD  
VIRTUAL PUBLIC INFORMATION MEETING  
MARCH 18, 2021  
PUBLIC FEEDBACK REPORT**

**About This Report**

The City of Hamilton is proposing to amend the Official Plan and Zoning By-law for the City owned property at 1400 Baseline Road, Stoney Creek. The purpose of the proposed **Urban Hamilton Official Plan Amendment** is to amend the Urban Lakeshore Area Secondary Plan by re-designating the lands from Low Density Residential 2b to Medium Density Residential 3 and establishing a Site Specific Policy Area. The proposed amendment will permit the development multiple dwellings up to a maximum height of nine storeys and at a density range of 50 to 99 units/net hectare.

The purpose of the proposed **Zoning By-law Amendment** is to rezone the lands from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-69(H)” Zone, Modified, Holding.

The amendments will establish the permitted land use and zoning framework for the site. There is no specific development concept at this time.

The purpose of the public session was to present information to the public and respond to questions about city initiated official plan and zoning amendments for 1400 Baseline Road.

This report, prepared by Facilitator Sue Cumming, MCIP RPP, Cumming+Company, includes what was heard from the public at the live information meeting. 148 number of questions and comments were recorded from 31 different individuals. Comments and clarifications to questions asked about the proposed amendments were provided by City staff at the meeting. This report is intended to provide a record of what was heard. It does not include city staff responses.

**Contents**

1. Virtual Public Information Meeting Details..... 3  
1. What Was Heard - Synthesis of Input received at the live Information Meeting ..... 4  
2. What Was Heard - Verbatim Questions and Comments recorded ..... 7

**APPENDICES**

Appendix 1: City Staff Presentation given at the meeting..... .17

## 1. VIRTUAL PUBLIC INFORMATION DETAILS

Given restrictions related to public gatherings, the public session was held by way of an online **WEBINAR on March 18, 2021, from 6:00 to 8:00 p.m.** 77 residents registered for the meeting and 59 participated. The meeting was extended a further 30 minutes to 8:30 p.m. so that all questions could be read aloud.

City Staff gave a live presentation sharing a power point presentation of key information which was followed by a facilitated Question and Answer Period. The presentation was given by Alissa Mahood, MCIP RPP, City of Hamilton. The presentation found at **Appendix 1** included the following key topics:

- Site Details
- History
- Proposed Official Plan and Zoning By-law Amendments
- Next Steps

Residents participated by typing questions and comment into the Q and A which were read aloud by Independent Facilitator, Sue Cumming, Cumming+Company and answered live by staff. Individual names were not read aloud when the questions were asked.

City staff were available to address questions pertaining to the staff review and presentation.

Alissa Mahood – Community Planning  
Christine Newbold – Community Planning  
Jennifer Roth – Community Planning  
Jeff Cornwell – Transportation Planning  
Alvin Chan - Infrastructure Planning  
Monir Moniruzzaman – Infrastructure Planning

Councillor Maria Pearson attended the meeting. As stated at the beginning of the meeting her role was to listen to the input and not to provide responses. Residents were encouraged to contact the Councillor to further share their concerns and to discuss their input.

At the conclusion of the Live Information Meeting held on March 18, 2021, the following next steps were noted:

- Staff will receive and review comments. Comments were requested by April 1, 2021.
- Staff will consider changes that may be required, and update staff report and planning documents.
- Hold the statutory public meeting open house at Planning Committee to consider the amendments. Date to be determined and will be posted on the Notice Sign on property, Newspaper Ad, and Mail-out.

It should be noted that the meeting held on March 18, 2021, was a neighbourhood information meeting and not the not the Public Meeting/Open House as required by the *Planning Act* (i.e., the “statutory public meeting”). This will occur at a later date and will be advertised and conducted to meet the requirements of the *Planning Act*.

**2. WHAT WAS HEARD – SYNTHESIS OF INPUT**

There is a high degree of interest particularly by residents of the Lake Pointe Community in the city proposed amendments for 1400 Baseline Road. The meeting was attended by 59 individuals, 31 of which provided comments and questions. There were numerous comments about the proposed land use for the site and opposition to the consideration of a nine storey building. Many questions related to understanding how the height of the building would be calculated. Of equal concern appears to be impact to neighbourhood traffic and parking from the potential future development of the site. City Staff were able to clarify how the density and height were determined providing on overview through the city staff presentation (included at Appendix A). With respect to transportation concerns, city transportation staff provided information on transportation related matters drawing on transportation studies undertaken in the area.

The following is a synthesis of the key topics of concerns raised by the public at the virtual Information Meeting. **Figure 1** is a high-level synthesis prepared by the Independent Facilitator on the key messages heard through the public information meeting. It is important that this synthesis of key messages heard be read in conjunction with the verbatim detailed comments found in **Figure 2**.

**Figure 1 – High-level Overview of Feedback**

Key Topics Noted	Key Messages Heard
<p><b>Clarification about the process proposed land use, range of densities, building heights and number of units that could be built on the site</b></p>	<ul style="list-style-type: none"> <li>• Concerns about the permissible height and how this would be calculated i.e., how was it determined that 33 m = 9 storeys with residents believing that 33 metres would permit a 10 storey building.</li> <li>• Clarification of how road widths are measured and widths for North Service Road and Baseline Road.</li> <li>• Questions about rear yard setbacks and whether it was greater than 14.0 metres.</li> <li>• Questions about the estimated number of dwelling units to be built in the area.</li> <li>• Questions about when the land would be sold, and the process that would need to be followed by future developers.</li> <li>• Comments about whether the decision has already made to build homes/buildings.</li> <li>• Question about what assurances do residents have that the new zoning will not be expanded to allow for even taller buildings?</li> </ul>

<p><b>Concerns were noted that the development of the site for a 9 storey building or for medium density would negatively impact the existing community</b></p>	<ul style="list-style-type: none"> <li>• Objections were noted to a nine storey building being considered for this site.</li> <li>• Concern about increase in intensification is in an area where residents feel that there is a too much traffic.</li> <li>• Questions about whether social housing would be built on the site.</li> <li>• Questions about why other uses for the site are not being recommended including parks, community centre and commercial uses.</li> <li>• Comments that some residents believe that the form of housing being proposed doesn't address the needs of the majority of current and potential population - in that Boomers don't want to downsize when the monthly costs, incl fees, is higher than what they are paying now and that covid has changed the market demands of non-Boomers.</li> <li>• Concerns about views and vistas from Lakeside Condominiums to the lake and whether a visual impact study would be done.</li> </ul>
<p><b>Concerns about impact to what is seen as an already overwhelmed Baseline Road and impacts to local neighbourhood traffic, traffic calming and parking.</b></p>	<ul style="list-style-type: none"> <li>• Concerns about the high volume of traffic in spring and summer that is going to the Hamilton Conservation Area and that adding new housing to this site would bring new traffic and parking issues t an already overwhelmed Baseline Road.</li> <li>• Comments about issues with traffic because of the service road being used by commuters where residents indicate that there are capacity issues during peak times,</li> <li>• Concerns that the constant flow of vehicles also has an impact on public safety in the area and intensification with higher density development would not have a positive impact on the current public safety on Baseline Road.</li> <li>• Comments about traffic calming measures and what type of traffic calming could be considered for Baseline Road.</li> <li>• Concerns about issues with the city having changed parking requirements a few years ago, with lack of parking in the area noting that there is not enough parking on Raintree, Lockport or Glendaring Crescent as it is now.</li> <li>• Concerns with how parking would be provided for the new development. It was further noted that residents are concerned about visitor parking and how parking would be impacted by future</li> </ul>

	<p>development of this site particularly for a high-rise building.</p> <ul style="list-style-type: none"> <li>• Comments that there is no public transportation to the area and the need for sidewalks.</li> </ul>
<p><b>Questions about whether city staff have undertaken the required studies for the amendments.</b></p>	<ul style="list-style-type: none"> <li>• Questions were noted about whether city staff have considered the other development occurring in the area in their review of what would be appropriate on this site.</li> <li>• Questions about when the latest traffic study was undertaken and whether city staff were aware of the concerns of people living in the area about traffic and parking.</li> <li>• Questions about what studies are being done to support the amendments with the view that more studies should be done.</li> <li>• Comments that even if some studies don't need to be asked for during rezoning and would be done at site plan, is this appropriate in this case.</li> <li>• Questions about what conceptual massing studies show.</li> <li>• Reference to whether the amendments were OLT ready and whether city staff have completed the necessary studies to show conformity with official plan policy.</li> </ul>
<p><b>Comments about why the city wasn't listening to the opposition of nearby residents</b></p>	<ul style="list-style-type: none"> <li>• Comments that the city was not taking into account the concerns and objections of nearby residents who had invested in the area believing this site to be a low density site.</li> <li>• Questions were noted for the Councillor about voting on other city projects and why she wasn't answering to her voting records in response to their questions.</li> <li>• Comments were noted that Council isn't listening to the community's opposition to these amendments.</li> </ul>

### 3. WHAT WAS HEARD – VERBATIM PUBLIC INPUT

**Figure 2** includes the verbatim input received at the March 18<sup>th</sup> meeting. These are numbered for reference purpose only and each number represents a different individuals’ comments. These are in the order of when they first asked/commented and organized by individual. The names and identifying information have been omitted. 148 questions/comments were noted by 31 people.

**Figure 2 – Live Information Meeting Questions/ Comments Noted**

#	Individual Comments and Questions from the meeting
1.	<ul style="list-style-type: none"> <li>• Last week, Councillor Pearson wrote this email to a citizen: "Good afternoon. I want to thank you for your e-mail and agree wholeheartedly. As a councillor who has a lot of development/intensification being proposed in my ward, your comment about using existing built-up areas is imperative. It is unfortunate that residents in the vicinity of such intensification just don't get it like you and me. I will continue to be diligent in supporting growth where it should go encouraging the use of existing infrastructure.</li> <li>• Councillor Pearson – you didn't support a 9 storey at the corner of King St &amp; Hwy 8 in 2016, beside a 7 storey &amp; with 2 transit rates, so why are you supporting this 9 storey?</li> <li>• Councillor Pearson – you didn't support a 9 storey at the corner of James St N and Burlington St, adjacent to a 6 storey downtown, so why are you supporting this 9 storey?</li> <li>• Councillor Pearson – you didn't support a 9 storey at the corner of Stone church and West 5th, within walking distance to Mohawk College &amp; the A-line bus rte., so why are you supporting this 9 storey?</li> <li>• Councillor Pearson – you didn't support a 4 storey on King St E in your Ward 10 and worked with the residents, Staff &amp; City Council, to reach a settlement to reduce the build down to 3 storeys with setbacks of 33 metres from existing properties, so why haven't you worked with us to try to reach a mutually agreeable settlement? Is it because only 14% of us voted for you in the last election or is it because you, like Staff, have to adhere to Council's direction in that May 2019 Motion?</li> <li>• Do Staff believe this file is 'LPAT ready', when no studies have been completed to demonstrate conformity has been achieved to our Official Plan policies and the proposed increase in intensification is in an area where there is a lack of existing infrastructure and services?</li> <li>• Upon the sale of the land, how long after the sale can we expect the installation of sidewalks on the 50rd overpass?</li> <li>• Is the ward Councillor not going to respond to questions tonight?</li> <li>• Will the ward residents be able to see the voting results on this proposed zoning change i.e., in particular how each Councillor voted?</li> <li>• Would the Service Road be considered as an entrance and exit to this property?</li> </ul>



#	Individual Comments and Questions from the meeting
	<ul style="list-style-type: none"> <li>• Will bylaw at no cost to our condo corporation provide additional enforcement of our visiting parking?</li> <li>• What particular type of traffic calming is being proposed for Baseline Rd?</li> <li>• Councillor Pearson has said sale of the land proceeds would be used for sidewalks on the 50rd overpass between the north and south service roads.</li> <li>• If you are aware of concerns from the neighbourhood of about 9 storey developments, then why not try to appease existing homeowners?</li> <li>• Wouldn't it be wise to have any developers use the service road as an entrance and exit to this property?</li> <li>• Why is the area Councillor not answering questions her constituents have?</li> <li>• Why rezone when a lot of the neighborhood is vehemently opposed to 9 storey buildings?</li> <li>• Where is the Councillor to answer her constituent's questions?</li> <li>• Would Council be happy with this change in their neighbourhood?</li> </ul>
2.	<ul style="list-style-type: none"> <li>• Has the city looked at the future projects also planned for this area (such as LIUNA condos, condos at Casablanca, condos on the south side of the service road at Costco) prior to changing the zoning? Does the infrastructure support the change in zoning?</li> <li>• Would The transportation analysis required by the developer be from an independent Corp. from the developer?</li> <li>• So as a point of clarification ... you are updating from Low density which would limit to townhouses and homes vs medium density which permits towns, maisonettes and 9 storey building?</li> </ul>
3.	<ul style="list-style-type: none"> <li>• Is this area going to be dedicated to social housing?</li> <li>• Has the impact on future traffic has been assessed? This area is already quite congested during spring and summer due to the Conservation area... It is only a 2-way road...</li> <li>• What is the estimated number of dwellings to be built on this area?</li> <li>• Should take a look at the issues with the homes built on the corner of Fruitland and North Service Rd... it is becoming a traffic nightmare...</li> <li>• Has the decision already made to build homes/buildings? Or the area could be used for other purposes that could benefit the community?</li> <li>• North Service Road and Baseline have enough room for two lanes, how is it that City Transportation Staff indicated that their width is 20 metres?</li> </ul>
4.	<ul style="list-style-type: none"> <li>• Why does the Height change 33 metres when 33 metres is the height for a 10 storey: not a 9 storey?</li> <li>• What is the rear yard setback in the parent Zoning regulations - is it greater than or lower than the 14 metres MTO requirement?</li> <li>• Can we get copies of this slide presentation?</li> <li>• Even though some studies don't have to be asked for during zoning and can be deferred to Site Plan, is that appropriate in this particular case?</li> <li>• Will the sign on the property be updated to include the April Fools Day deadline for comments?</li> </ul>

#	Individual Comments and Questions from the meeting
	<ul style="list-style-type: none"> <li>• LP citizens understand what types of developments we can expect. The Guides clearly tells me I can expect a low rise infill on this vacant land, so why isn't this proposal consistent with the messaging to those of us that have already planted roots here?</li> <li>• Why aren't we being provided with a Conceptual plan showing the Massing exercise that Staff completed to determine if this would fit?</li> <li>• LP citizens understand what types of developments we can expect. The Guides clearly tells me I can expect a low rise infill on this vacant land, so why isn't this proposal consistent with the messaging to those of us that have already planted roots here?</li> <li>• How many people are in attendance tonight?</li> <li>• You've stated that the required parking would HAVE to be onsite, yet the rezoning is REDUCING the # of parking spaces regulated. Please clarify tonight's statement and zoning by-law proposed?</li> <li>• Why are the video of the panelists disabled? This is a very unwelcoming format to only be seeing the Q and A slide.</li> <li>• Secondary rental stock &amp; Airbnb's which is driving rental prices throughout the city even higher and negatively impacting residents Quality of Life, so why would the city choose to introduce these 'Housing as an Investment' problems to a new area of the city?</li> <li>• Taxpayers paid for the technology to show blob massings; and other developments have these during presentations by Staff - why can't we see that? and see the potential shadowing?</li> <li>• Steve Robichaud has advised there is NOT a 2-year moratorium for site specific rezoning - please clarify previous statement.</li> <li>• A single family home on Cannon St E sold last week for \$732,500! People clearly want smaller sized (as compared to area) non-apartments, so why aren't we zoning this land to meet the needs of our population and responding to projected conditions?</li> <li>• To reduce the build down to 3 storeys with setbacks of 33 metres from existing properties, so why aren't we working together to try to reach a mutually agreeable settlement? Is it because city staff have to adhere to Council's direction in that May 2019 Motion?</li> <li>• City staff shouldn't be referencing speed cushions – Councillor Pearson has already stated she will NOT approve any such cushions in her ward.</li> <li>• Has Staff and Council considered that the proposed form of housing doesn't address the needs of the majority of current and potential population - in that Boomers don't want to downsize when the monthly costs, incl fees, is higher than what they are paying now and that covid has changed the market demands of non-Boomers?</li> <li>• Has the city evaluated the Social Injustices of using apartment dwellers along the QEW as 'human shields' to block noise, wind and pollution for the townhomes and single family home dwellers?</li> </ul>

#	Individual Comments and Questions from the meeting
	<ul style="list-style-type: none"> <li>• Can you comment on the inconsistencies in approvals for 9 storeys? Our councillor didn't support a 9 storey at the corner of King St &amp; Hwy 8 in 2016, beside a 7 storey &amp; with 2 transit routes, so why is Staff supporting this 9 storey?</li> <li>• Our Councillor didn't support a 9 storey at the corner of James St N and Burlington St, adjacent to a 6 storey downtown, so why are Staff supporting this 9 storey?</li> <li>• Our Councillor didn't support a 9 storey at the corner of Stonechuch and West 5th, within walking distance to Mohawk College &amp; the A-line bus rte., so why are Staff supporting this 9 storey?</li> <li>• Where is our Councillor to answer her constituent's questions?</li> <li>• Why are you blocking questions that make reference to our elected representatives?</li> <li>• If the apartment building was removed, how many potential townhomes could be built?</li> <li>• As owner of a single family home, this proposal will positively impact my property values however, has staff evaluated the potential negative fiscal impacts to the City and the residents' property taxes for the increased infrastructure investments required?</li> <li>• Our Councillor didn't support a 4 storey on King St E &amp; worked with the residents, to reach a settlement to reduce the build down to 3 storeys. So, why aren't we working together to try to reach a mutually agreeable settlement?</li> <li>• Why is there a belief by Staff &amp; Council that apartments are a more affordable housing form when a quick glance at listings right now has a freehold town in the area listed for \$568K, a semi for \$800k, versus a 2br condo on Highway 8 for \$859k?</li> <li>• There are so many studies not done to support conformity of a high rise so why are we putting the cart before the horse?</li> </ul>
5.	<ul style="list-style-type: none"> <li>• We understand that in 2009 The City should have undertaken a comprehensive study to identify significant views and vistas and recommend strategies for their protection and enhancement. This was done in Hamilton but not here. This is one of the reasons we moved here because of the view of the escarpment.</li> <li>• Are you going to do a Visual Impact Study for this area?</li> <li>• Traffic in this area is terrible in spring and summer due to the Hamilton Conservation Area and all the new building in the area. The parking is also terrible. If these new buildings are built the parking and traffic will become impossible.</li> <li>• How will they allow for parking for visitors to their building it sounds like you are really only answering parking for the residents. They will park in our very crowded neighborhood for their overflow.</li> <li>• How wide is Baseline in actual measure not "right of way" allowance?</li> </ul>
6.	<ul style="list-style-type: none"> <li>• What is the width of North Service Road?</li> </ul>

#	Individual Comments and Questions from the meeting
	<ul style="list-style-type: none"> <li>• What is the width of Baseline Road?</li> <li>• Right of Way Width Please and Thank You</li> <li>• How was it determined that 33 m = 9 storeys?</li> </ul>
7.	<ul style="list-style-type: none"> <li>• We don't have the gas station north of QEW, why don't we make Gas station and small plaza?</li> <li>• I am not agreeing with 9 story building behind my backyard.</li> <li>• During the Summer we have very busy traffic due to 50 Point picnic traffic</li> <li>• Thanks for the invite us. Have a good evening.</li> </ul>
8.	<ul style="list-style-type: none"> <li>• Why is the land not considered from commercial use point of view? I believe as per the original plan the land was to be used to have a gas station etc.</li> <li>• If I understood correctly, if the building of 33 m is approved to be built, it means it will be at a distance of at least 33 m from the rear end?</li> </ul>
9.	<ul style="list-style-type: none"> <li>• The community is already busy coz of Costco Plaza. The traffic will be out of control if there is a 9 storey coming up. Has the city assessed this?</li> </ul>
10.	<ul style="list-style-type: none"> <li>• Sorry, I arrived a little late, are we asking questions on the chat.</li> <li>• So, it's been finalized that this property will have condos, townhouses etc., Can we have an alternative such as a community centre or recreational parks that can also preserve the beauty of the place while we help the community grow economically?</li> <li>• Would like to still preserve the beauty of this place looking to Niagara Escarpment and have positive economic development in the neighbourhood. As a parent, I am concerned and would want to have solutions that benefits children and adults in the neighbourhood.</li> <li>• Why cannot we have an alternative to condos or townhouses but recreational centre, community centre, etc., for kids in the neighbourhood, and for people of all ages.</li> <li>• If this continues, there won't be any nature conservancy. One of the reasons we moved all the way from Toronto.</li> <li>• can't we have a recreation kind or community centre for kids and people of this neighbourhood? A space people of the neighbourhood can also use.</li> <li>• How about we keep this site as a park and not build anything? Right now, there does not seem to be any other alternative to the residential buildings.</li> <li>• How can we ensure that the neighbourhood be safer with more population and communities coming in with such residential placements? Any plans for crime prevention.</li> </ul>
11.	<ul style="list-style-type: none"> <li>• When will the property be placed on the market?</li> </ul>
12.	<ul style="list-style-type: none"> <li>• I tried to post a topic and it looks like it cut off 90% of my post. Are we being limited on the length of our comment/questions?</li> <li>• I will have to send it in part by part.</li> <li>• This will have a negative impact on the current public safety on baseline road. Are you aware of how overwhelmed baseline road is currently? A Traffic impact study should be done, and it should be done when we have an extra roughly 28000 vehicles a month on Baseline Road.</li> <li>• I have to try again. its cutting everything off.</li> </ul>

#	Individual Comments and Questions from the meeting
	<ul style="list-style-type: none"> <li>• Through data collected from 50 Point Conservation Area, the park saw roughly 187000 visitors in 2019 and 184000 in 2020. It was confirmed to me that 90% of this activity takes place during 6 months of the year</li> <li>• Knowing that 90% of this activity takes place during 6 months of the year. Please note that the data provided includes all visitor vehicles (large, loaded vehicles, trucks towing boats large enough to be suitable for Lake Ontario waters, and day trip vehicles).</li> <li>• The list also includes park members but only park members who purchased their pass from directly from 50 Point Conservation, any members who purchased a pass from the conservation authority online or elsewhere are not included in the data.</li> <li>• Walk in visitors counted for roughly .002% in 2019 and roughly .003% in 2020.</li> <li>• Knowing that 90 % of this activity happens during 6 months of the year, we had an average of roughly 28000 extra vehicles on baseline road in 2019 per month and an extra roughly 27600 extra vehicles on baseline road in 2020.</li> <li>• Baseline road is a local road with a design capacity to carry low traffic flow.</li> <li>• This community area (baseline road/Lockport way being the only entrance to the community) is already overwhelmed with everyday local traffic and with this added amount of traffic to 50 Point Conservation,</li> <li>• The volume is significantly high on baseline road compared to other areas in the city.</li> <li>• Why is higher density construction suitable here rather than in other areas in the city where larger loaded vehicles going to conservation areas are not present?</li> <li>• The constant flow of vehicles also has an impact on public safety in the area and intensification with higher density development would not have a positive impact on the current public safety on baseline road.</li> <li>• Are you aware of how overwhelmed baseline road is currently? A Traffic impact study should be done, and it should be done when we have an extra roughly 28000 vehicles a month on Baseline Road.</li> <li>• 1400 Baseline Road is within such close proximity to 50 Point Conservation (680ft or .02KM) which is well known to be the home to a vast variety of bird species including a large number of migratory bird species.</li> <li>• After having many conversations with the experts at the Hamilton Naturalists Club and others, I'd like to know why City has not evaluated the impact a high-rise build</li> <li>• will have in an area that is considered an Important Bird Area because of its global significance as one the premier spots in Ontario to see an amazing array of bird's species.</li> <li>• You are unfortunately reading my posts wrong. I had to post in series because everything is limited and cuts off my points. The majority of my points have been missed.</li> </ul>

#	Individual Comments and Questions from the meeting
13.	<ul style="list-style-type: none"> <li>• How does the city plan on keeping this residential area safe for pedestrians?</li> <li>• Traffic calming measures is not the solution, it's the traffic volume that is the problem. During conservation park peak times it is hard to get onto Baseline Rd via driveways. Vehicle calming is not an answer unless I don't understand the definition of vehicle calming. Please explain.</li> <li>• Speed bumps will not control vehicle volumes. it is vehicle volumes on Baseline Road, especially recreational vehicles and trailers that is the problem. how will this increased volume be redirected off of Baseline when there is only one road into the park?</li> <li>• Speed cushions is a panacea, it is not effective because there are many towed recreational vehicles, this creates a new problem, noise created by the trailer hitches. This means that I have to keep the house doors closed.</li> </ul>
14.	<ul style="list-style-type: none"> <li>• You have indicated there is no real traffic issues noted - however on Baseline Road and Lockport Way there are days from May - November where you cannot get out of the Lakepoint survey and times you are stuck on Baseline Road for over an hour waiting.</li> <li>• How can you say that there are no traffic issues in the area? Baseline is barely a two-way street.</li> <li>• As for transportation you have indicated it would be looked at. We have no local transportation HSR in our area at all. One without a vehicle cannot walk anywhere. What about sidewalks?</li> <li>• There is nowhere in our area to provide a transportation loop for HSR, how can you provide transportation in our area? So what transportation are you talking about the sale of the land would offer?</li> </ul>
15.	<ul style="list-style-type: none"> <li>• This area already lacks public transportation, there is already issues with foot traffic making it over the QEW, adding more density housing to this area will magnify the already significant issue, what are the cities plans for this with more development?</li> <li>• Fifty Rd, north service, baseline is all single lane, as we increase density how are we dealing with the increased traffic needs of those that reside in the community? Does the city have plans at this time for widening as this is already an issue?</li> <li>• The Lake Pointe Community Facebook page has 984 members, many residents have voiced their disapproval of a 9 storey building. Majority have shared support for similar townhomes to what is currently in keeping with the area. Will the city hear them?</li> <li>• Can the city please consider the lack of privacy that existing homeowners would have if they approved a taller building overshadowing the existing homes.</li> <li>• Many are suggesting a mix of commercial with residential, similar to Casablanca as a worst-case scenario if it isn't just towns. Services that aren't offered at Winona Crossing to "better the area" improve the community.</li> <li>• If a 9 storey isn't feasible, why allow / zone for one?</li> </ul>



#	Individual Comments and Questions from the meeting
	<ul style="list-style-type: none"> <li>City Transportation Staff mentioned that Transportation would support busing on North Service Rd., how can we move forward with this ASAP? The community has a strong need for this.</li> </ul>
16.	<ul style="list-style-type: none"> <li>We have no public transportation in the area so according to the maximum capacity of 115 units with an average of two people per unit that equates to 230 additional cars in the area. How can this be considered acceptable?</li> <li>We have no sidewalks along Baseline Road. There are cyclists and pedestrians along both sides of the road which only allows for one car to pass. You mentioned that Baseline Road is 20 metres wide, however, my husband just measured the asphalt in front.</li> </ul>
17.	<ul style="list-style-type: none"> <li>Council has approved the increased density with a holding provision that requires studies to be done before development at the responsibility of the purchaser. If the studies show the site is not feasible for higher densities will council ignore the studies or be open to a lawsuit if the approval does not meet the purchasers' expectations?</li> </ul>
18.	<ul style="list-style-type: none"> <li>The city has enacted changes to the on-street parking on the surrounding streets in 2018. What steps will the rezoning require to ensure the safe and effective flow of traffic and adequate parking for area residents?</li> </ul>
19.	<ul style="list-style-type: none"> <li>This may have already been asked but will the traffic study include the amount of cars that pack Baseline Road to get into 50 Point conservation Area?</li> <li>Really not sure why the city can't dictate what gets built here after it's sold.</li> </ul>
20.	<ul style="list-style-type: none"> <li>Is it likely (or even possible) that entry to that property needs to be made from North Service Road?</li> <li>Has any consideration to the school bus stops on Baseline Road?</li> <li>Can entrance to the property be mandated to be made from the North Service Road in order to alleviate traffic on Baseline?</li> <li>Most of us are generally opposed to this amendment to zoning because we don't want a large building in the immediate neighbourhood. At the 99 units per hectare capacity, we're talking about 200 potential cars on an already busy corner.</li> <li>Staff have done an excellent job in this meeting. Some of us might not like this development but can't fault city staff for the excellent work done for today's meeting. Thank you.</li> </ul>
21.	<ul style="list-style-type: none"> <li>There's also issues with traffic because of the service road being used by commuters. There definitely are capacity issues during peak times,</li> <li>If you are allowing 9 stories, the builder is going to build 9 stories. Even if it's 7 or 8 stories, it is not in line with the neighbourhood and negatively impacts traffic, safety, privacy, etc.</li> </ul>
22.	<ul style="list-style-type: none"> <li>Any plans to bring public transit out to this area? Would help with getting cars off the road.</li> </ul>
23.	<ul style="list-style-type: none"> <li>I believe you had mentioned there was already a traffic study completed. Can you please provide us with a copy of the last traffic study completed in the area?</li> </ul>



#	Individual Comments and Questions from the meeting
	<ul style="list-style-type: none"> <li>So, the last studies as per Jeff was in 2018 and 2019... can we be provided with both of those studies. It would be interesting to compare the population growth between then and now considering a traffic signal was recommended back then.</li> </ul>
24.	<ul style="list-style-type: none"> <li>There are already problems with young people climbing fences to access the Conservation Area. access to the park from Baseline is not fenced and, in the evenings, only lightly monitored at best. are you considering security implications?</li> <li>Where will the entrance be for the building – off the already busy Baseline or the lesser used Service Road?</li> <li>You already said that the area is zoned for low density, but isn't 9 stories high density?</li> <li>Does Hamilton have a definition for "medium density" housing? What is see online is that it is typically max of 40 including low rise housing.</li> </ul>
25.	<ul style="list-style-type: none"> <li>Can't there be provision of sale on the property? Basically, stating that only towns or detached homes can be built on the property?</li> <li>Speed humps re not going to help the traffic situation. Its not how many fast cars are going; it is how many cars that are using the roads.</li> <li>Have any developers contacted you regarding the purchase of the land? Either with the current zoning or with the revised zoning?</li> </ul>
26.	<ul style="list-style-type: none"> <li>Realistically, is there any amount of pushback from the neighbourhood that would actually make the city change their mind on this decision? how much do you really value our opinion?</li> <li>The land is to be rezoned for up to 9 – storeys. I don't know of many developers who wouldn't maximize the available use of land, so this is why everyone is angry. We don't think that a 9 storey building(s) is going in there – we know it will.</li> </ul>
27.	<ul style="list-style-type: none"> <li>I heard that this building was to create diversity and would include government assisted living. Is this still the case?</li> </ul>
28.	<ul style="list-style-type: none"> <li>There is not enough parking on Raintree, Lockport or Glendaring as it is now. With a 9 storey building or maisonettes, the overflow parking is going to make parking for those that already live here even more of a nightmare than it already is.</li> <li>Lot premiums were paid by some residents who live in the area. I doubt that people paid a premium to look at a 9 storey building. Ridiculous. Everyone in the area is against this!</li> </ul>
29.	<ul style="list-style-type: none"> <li>Please address my questions directed to Maria</li> </ul>
30.	<ul style="list-style-type: none"> <li>In reference to other residents' comments, as someone who lives here just off of Baseline with a small child, I would like to clarify that speed is an issue as well as volume of traffic on Baseline.</li> </ul>
31.	<ul style="list-style-type: none"> <li>There have been cases where developers go back to the city to renegotiate the zoning. This has happened in Burlington. What assurances do we have that the new zoning will not be expanded to allow for even taller buildings?</li> </ul>

#	Individual Comments and Questions from the meeting
	<ul style="list-style-type: none"><li data-bbox="280 247 1393 317">• How can the zoning be appropriate for medium density housing now but his could change later? how does this make sense?</li><li data-bbox="280 321 1365 390">• Taxpayers are being ignored as usual. Elected officials not even involved. Disappointing.</li></ul>

**Appendix 1**  
**City Staff Presentation for the Public Information Meeting**



Hamilton

**LET'S TALK!**  
**STONEY CREEK**

**1400 BASELINE ROAD,  
STONEY CREEK**

March 18, 2021

# WELCOME AND INTRODUCTIONS

**Thank you for attending this virtual public information meeting**

Independent Facilitator: Sue Cumming, MCIP, RPP (Cumming+Company)

Presenter: Alissa Mahood, MCIP, RPP (City of Hamilton)

# CITY OF HAMILTON LAND ACKNOWLEDGMENT

“The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.”

# HOW TO PROVIDE YOUR INPUT AT THIS MEETING

City staff will provide a presentation live followed by Q and A

You can ask questions or provide comments by typing these into the Q and A and the Independent Facilitator will read out the questions for City Staff to respond to

Your name will not be read aloud when questions are asked

Following the meeting, you can contact City staff at any time with further comments or questions



# PRESENTATION OVERVIEW

Presenter: Alissa Mahood, MCIP, RPP (City of Hamilton)

- Site Details
- History
- Proposed Official Plan and Zoning By-law Amendments
- Next Steps
- Q&A



# SUBJECT PROPERTY



Fifty Point  
Conservation Area

Fifty Point Market  
(Commercial Plaza)

Stoney Creek Child  
Care Centre

1400

1400 Baseline Road, Stoney Creek





# SITE DETAILS

Owner	City of Hamilton
Size	1.17 ha
Services	Existing municipal
Existing use	Vacant
Existing Official Plan and Designation	Low Density Residential 2b (Urban Lakeshore Area Secondary Plan – Urban Hamilton Official Plan)
Existing Zoning	Neighbourhood Development (ND) Zone By-law 3692-92 (Stoney Creek)

# HISTORY

- February 2018 – Lands declared surplus (Affordable Housing Site Selection Sub-Committee) as part of a disposition strategy to create more affordable housing).
- May 2019 – City Council Motion – directs staff to update the planning permissions for the site in order to prepare the lands for sale.
  - Official Plan and Zoning By-law Amendment
- In addition to funding future affordable housing projects in the City, proceeds from the sale of the lands will also be used to fund local transportation improvements in the area.

# WHY IS THE CITY CHANGING THE LAND USE?

- Council direction
- Update the planning permissions for the property (the existing Urban Lakeshore Area Secondary Plan was developed in the early 1990's)
- Establish the minimum and maximum standards for future development and establish permitted uses

## WHAT IS THE CITY NOT DOING?

- The City will NOT be developing the site (lands will be sold)
  - Future owner will be responsible for submitting a site plan (development concept) and supporting studies that are required as part of a site plan application.

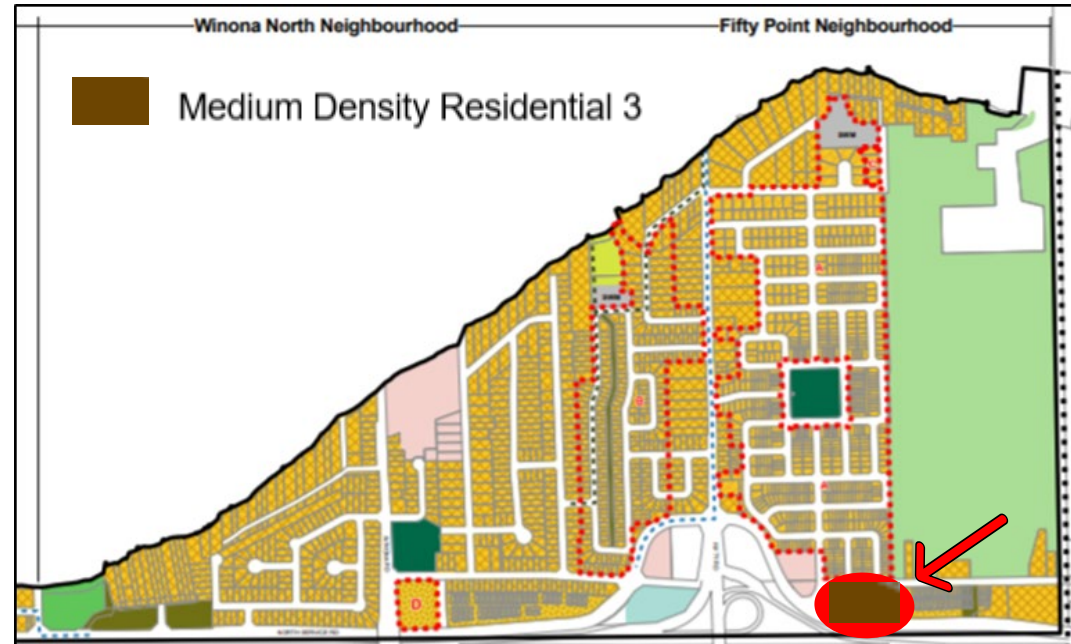
# CONSIDERATIONS

- PROVINCIAL POLICIES AND LEGISLATION
  - Provincial Policy Statement
  - Growth Plan
  
- URBAN HAMILTON OFFICIAL PLAN
  - Intensification
  - Housing Needs
  - Land Use Compatibility
  - Urban Design
  - Natural Heritage
  - Cultural Heritage/Archaeology
  - Servicing and Infrastructure
  - Financial
  
- LOCATION AND PROPERTY CHARACTERISTICS
  - Size
  - Surrounding Land Uses/Patterns
  - Neighbourhood Characteristics

# PROPOSED LAND USE DESIGNATION

## MEDIUM DENSITY RESIDENTIAL 3

- **Uses permitted:** Multiple Dwellings (i.e. townhouses, maisonettes, apartment buildings or a combination of these uses)
- **Density:** 50-99 units per hectare
- **Height:** 9 storeys maximum

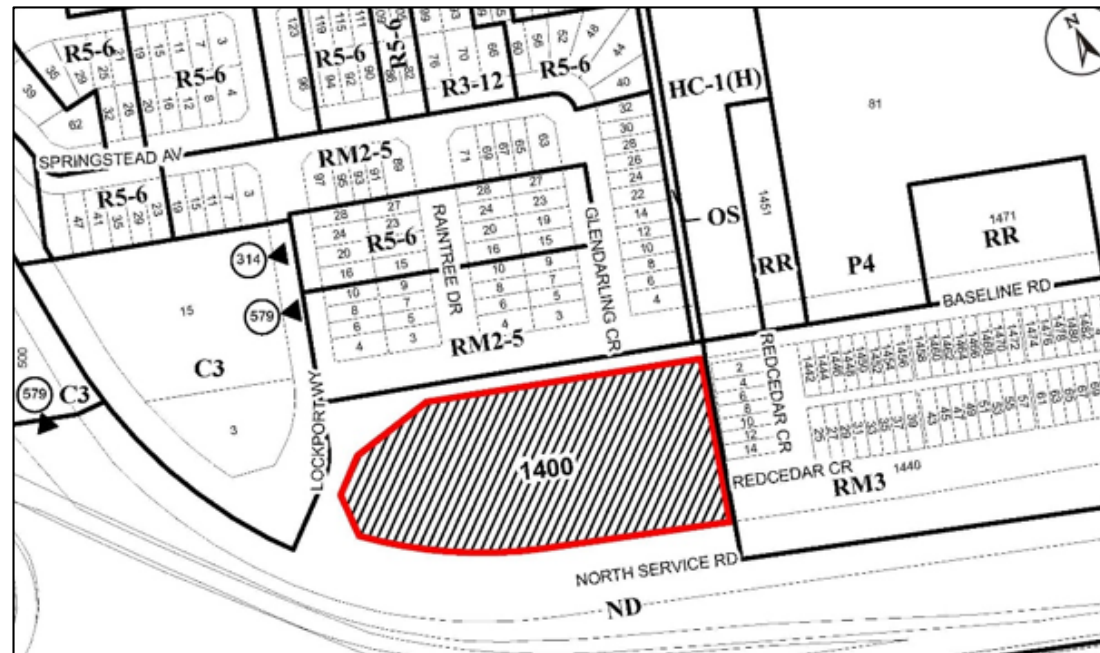




# PROPOSED ZONING

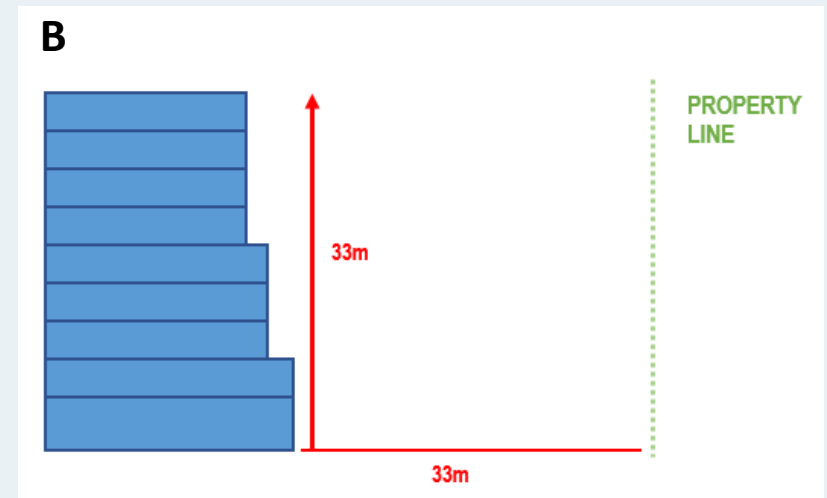
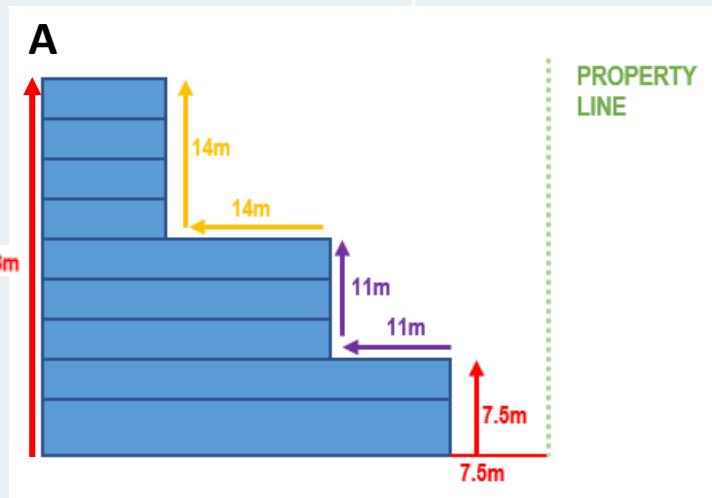
## MULTIPLE RESIDENTIAL (RM3) ZONE, MODIFIED, HOLDING

- **Uses permitted:** Townhouses, maisonettes, apartment dwellings, dwelling groups, home occupation, accessory uses
- **Max. Density:** 99 units per hectare
- **Height:** 33 metres (9 storeys)



# PROPOSED ZONING

USE	REGULATIONS
<b>Townhouses, Maisonettes</b>	<p><b>Maximum Building Height:</b> 11 metres (3 storeys)</p> <p><b>Minimum Setbacks from Front and Side Yard:</b> 7.5 metres</p> <p><b>Minimum Setback from Rear Yard (North Service Rd.):</b> 14 metres (MTO requirement) * <i>applies to all development on this site including apartments.</i></p>
<b>Apartment Buildings</b>	<p><b>Maximum Building Height:</b> 33 metres (9 storeys) under the following:</p> <ul style="list-style-type: none"> <li>Minimum 7.5 metres setback for the portion of the building along a front or side lot line; and,</li> <li>Height can increase only equal to the increase in the setback from the front and side lot line (to a maximum height of 33 metres)</li> </ul>



<b>Maximum Density</b>	99 units per hectare
------------------------	----------------------

**HOLDING PROVISION BY-LAW:** *A zoning by-law with an 'H' symbol restricts future uses until conditions for removing the 'H' are met. No development (includes site plan approval, building permits) can take place until the Holding is removed by clearing the conditions and amending the by-law.*

## HOLDING PROVISION CONDITIONS

Functional Servicing Report (FSR)	An FSR must be submitted to identify if any infrastructure upgrades for water and sanitary services are required to support the development (all upgrades required are at the developers expense).
Traffic Impact Study (TIS)	A TIS must be submitted and to identify if improvements required to the transportation network as a result of the development (at the cost of the developer).
Archaeological Assessment	An Archaeological assessment must be carried out of the subject property and mitigate, through preservation or resource removal and documentation of significant archeological resources.
External Works Agreements and Securities	Developer must register external works agreements and post appropriate securities to ensure that they implement any infrastructure upgrades identified in the FSR and TIS that are required.


# NEXT STEPS

- Staff will receive and review comments. Please submit comments by **April 1, 2021**.
- Consider changes that may be required.
- Update staff report and planning documents.
- Hold the statutory public meeting open house at Planning Committee to consider the amendments. **Date to be determined** and will be posted on the Notice Sign on property, Newspaper Ad, and Mail-out.



## FOR MORE INFORMATION AND TO PROVIDE COMMENTS CONTACT:

Alissa Mahood, Community Planning and GIS

 905-546-2424 ext. 1250

 [Alissa.Mahood@Hamilton.ca](mailto:Alissa.Mahood@Hamilton.ca)

# Q&A



# THANK YOU FOR ATTENDING

File Name/Number: CI-20-A



Data Source: Municipal Property Assessment Corporation (MPAC) 2021



**From:** [REDACTED]  
**To:** [DL - Council Only; Mahood, Alissa](#)  
**Subject:** 1400 baseline Rd  
**Date:** March 19, 2021 11:41:14 AM

---

I am appalled (and I might add suspicious) at the format and performance of the online meeting pertaining to the zoning of the property at 1400 Baseline Rd.

For the moderator to cherry pick the questions that repeatedly parroted the same subject and receiving the same non-answers while ignoring other relevant and important questions.

This was comparable to performance theatre to give the impression that council is taking the constituents' concerns seriously, the result being ..... nothing, nada, zilch. We received no comfort or assurance that the outcome of this proposal will meet the concerns of the community.

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** 1400 Baseline Road - Stoney Creek Development  
**Date:** March 18, 2021 8:08:53 PM

---

Further to your web seminar March 18, 2021 7pm - 8:30pm I'm providing my concerns and questions.

You had made comments in your presentation that your offices did traffic surveys and found no issues at all with traffic especially at Fifty Road and North Service road. However right where the development is going to go up on Baseline Road and Lockport Way, this is a way out for the Lakepointe community and from May to November you cannot get out of our survey. Baseline is also a hazard as people try and walk down it and two vehicles can barely pass each other.

If you add another 99 units to that area with 2 parking spots which adds another 200 cars. There will be too much traffic.

With respect to sidewalks over Fifty Road connecting the two service roads, why cannot this be considered? It was something that was originally offered to us before Brenda Johnson held up the Costco development and the developer was going to provide it.

You have indicated the sale of the land would provide local transportation. What is the local transportation you are offering? Our area has nothing. So someone without a vehicle is trapped down here. There are no sidewalks to allow someone to walk safely to get over the highway. If you are allowing low income housing how are they supposed to get anywhere for their social assistance services?

there is no area in this area for a bus loop for the HSR, so what is it really you are going to offer down in this area?

this is something you have to consider when allowing someone to purchase this land.

Our family does not agree with a 9 story building going up. We don't want a concrete jungle. We want to conserve the birds in the area, and want to uphold the value and look of the rest of the neighbourhood.

[REDACTED]

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#); [DL - Council Only](#)  
**Subject:** 1400 Baseline Road Let's Talk Meeting March 18th 2020  
**Date:** March 20, 2021 4:41:45 PM

---

Hi Alissa,

Thank you for taking the time to participate in the Let's Talk meeting on Thursday night. I would also like to thank you for the way you professionally and intellectually answered the questions that were relayed to you by the mediator.

I have to say, I was extremely disappointed in the format of the "Let's Talk" meeting. Not only were the community members not given the opportunity to "talk" but the Q&A text box was limited to a very small amount of text which severely crippled the community members ability to provide factual and statistical data to relate to a question or comment. For example, I had prepared two topics in advance for the meeting as did a number of other community members so we would not be presenting on the same topics and asking the same questions. I had to copy and paste a few sentences at a time which led to the mediator missing 90% of my posts and only reading a few blurbs of the entire post. This led to the small blurbs being completely out of context when she relayed them to you. It was also evident that the questions/comments/topics that were read out to you by the mediator were hand selected as there were a number of questions/comments/topics (professional and respectable) that were prepared in advance by other community members that were completely ignored. I can assume these will be emailed to you and the city prior to April 1<sup>st</sup> as requested, if they have not been already. It was very unfortunate and disappointing that the community members came prepared to have a meeting and discuss the city Initiative CI-20-A zoning reclassification of 1400 Baseline Road, and to be honest this "Let's Talk" meeting was completely one sided and unfortunately a complete waste of our time. This point is not directed towards you personally and I mean no disrespect to you in any way. As I had stated above I appreciated how you conducted yourself at the meeting, I am only giving my opinion as a member of the community attending this meeting and how the meeting was conducted.

For the record- The two topics I was trying to post to the chat box at the meeting are listed below and I would appreciate your feedback.

#1:

Through data collected by 50 Point Conservation Area, the park saw roughly 187,000 visitors in 2019 and 184,000 in 2020. It was confirmed that 90% of this activity takes place during 6 months of the year. Please note that the data provided includes all visitor vehicles (large

loaded vehicles, trucks towing boats large enough to be suitable for Lake Ontario waters, camper vans, RV's, and day trip vehicles). The list also includes park members but only park members who purchased their pass directly from 50 Point Conservation, any members who purchased a pass from the conservation authority online or elsewhere are not included in the data. Walk in visitors counted for roughly .002% in 2019 and roughly .003% in 2020. As a side note, there is a lot of pedestrian traffic on Baseline Road and it is very busy with people walking/jogging/biking on the street (for leisure, to gain access to the park, as well as going to the plaza at Lockport Way). People who walk into the park do not need to swipe their pass so their data is not collected.

Knowing that 90 % of this activity happens during 6 months of the year, we had an average of roughly 28,000 extra vehicles on Baseline Road in 2019 per month and an extra roughly 27,600 extra vehicles on Baseline Road in 2020 for the purpose of entering 50 Point Conservation alone. Baseline Road is a local road with a design capacity to carry low traffic flow.

This community area (Baseline Road/Lockport Way being the only entrance to the community) is already overwhelmed with everyday local traffic (in the offseason of the park). With the added amount of traffic to 50 Point Conservation, the volume is significantly high on Baseline Road/Lockport Way compared to other areas in the city. Why is higher density construction suitable here rather than in other areas in the city where larger loaded vehicles going to conservation areas are not present?

The constant flow of vehicles also has an impact on public safety in the area and intensification with higher density development would not have a positive impact on the current public safety on Baseline Road. Baseline Road is barely a two lane street as it is and when people are walking, jogging etc on the street which is all the time, it turns Baseline Road into a one lane road. Also on the point of public safety- A 50 Point Conservation employee was struck and injured by a vehicle last year on Baseline Road while trying to direct the chaotic traffic.

Are you aware of how overwhelmed Baseline Road and Lockport Way currently are? A traffic impact study should be done, and it should be done when we have an extra roughly 28,000 vehicles a month on Baseline Road. (Typically the summer months would be included in the 6 months of the year that 90% of the activity at 50 point occurs).

#2:

1400 Baseline Road is within such close proximity to 50 Point Conservation (680ft or .02KM to the gate house driveway entrance and exit) which is well known to be the home to a vast variety of bird species including a large number of migratory bird species. After having many conversations with the experts at the Hamilton Naturalists Club and others, I would like to know why the City has not evaluated the impact a high-rise build will have in an area that is

considered an important Bird Area because of its global significance as one of the premier spots in Ontario to see an amazing array of birds species.

In addition to the topics listed above, It has been mentioned on a number of different occasions by the City staff and in a number of different news outlets that the City “hopes” to receive 3 million dollars for the sale of the land at 1400 Baseline Road and that the proceeds would be used to fund affordable housing elsewhere in the city. You had also mentioned in the meeting on Thursday that the proceeds from the sale would be used to fund affordable housing elsewhere in the city.

Having said that, there is a lot of contradicting information being given out by city staff members. The panel member representing transportation at the meeting on Thursday (Jeff) mentioned a number of infrastructural items that would likely need to be completed, items such as traffic lights, sidewalks and traffic calming measures to list a few. You also touched on a number of infrastructural items during the meeting. The email response sent from Maria Pearson to a handful of community members (including myself), in regards to the City Initiative CI-20-A zoning reclassification of 1400 Baseline Road stated:

“I have received several inquiries and concerns regarding traffic, sidewalks, lighting etc in your neighbourhood since being elected and want to move forward with many traffic calming initiatives in the Fifty Road and Baseline Road areas. At this time I have no pot of money to pull from to enable such projects to go forward. I am hoping the sale of 1400 Baseline Road will give me the necessary funds to pursue installation of signalization, sidewalks and lighting on the overpasses (where we can as the Province controls the bridges). I am confident such initiatives will certainly make your neighbourhood safer, especially for residents wishing to ride a bicycle or push a stroller to Costco.”

The amount of infrastructural work that needs to go into the immediate area surrounding 1400 Baseline Road in order to make this site workable or suitable for the proposed increase in intensification and rezoning from low density to medium density would be astronomical. To use the examples that yourself, Jeff and Maria have used; traffic lights, sidewalks, traffic calming measures, just to list a few. This infrastructural work alone would cost well north of 3 Million Dollars.

My question is, which one is it? Infrastructure or affordable housing? The sale of the land will not produce the amount of money needed to fund both affordable housing elsewhere in the city as well as fund the needed infrastructural work that would need to be completed in order for this site to be suitable and safe for the proposed increase in intensification.

Thank you for your time and I would appreciate your feedback.

Sincerely,

██████████

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** 1400 Baseline Road Stoney Creek  
**Date:** March 29, 2021 11:28:23 AM

---

Good Morning: I am sending this email about our concern of this property. We know that it will be developed. We do not mind townhouses, we do not want or see a highrise there. We have lived here for eight years and want to make this our forever home. We hope you consider this.

Thank you,  
Sincerely

[REDACTED]

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** 1400 Baseline Road.  
**Date:** March 19, 2021 1:50:24 PM

---

The email from Chrstine Vernem is missing.

This document indicated that on January 20, 2021 the rezoning to Zone 3 was agreed upon.

Since there were so numerous communications from the public regarding how notice was provided that it was decided to do things legally and provide us with a meeting, signage and mail-out. After the fact!

Regards

[REDACTED]

Sent from [Mail](#) for Windows 10



**From:** [REDACTED]  
**To:** [Stoney Creek News](#); [Mike Pearson](#); [letters@thespec.com](mailto:letters@thespec.com)  
**Cc:** [Mahood, Alissa](#); [marie.pearson@hamilton.ca](mailto:marie.pearson@hamilton.ca)  
**Subject:** 1400 Baseline Road: Peace, Privacy and Health  
**Date:** March 27, 2021 2:24:18 PM

---

Rezoning from Zone 2 low density to Zone 3 medium density will allow a developer to erect a 9 storey apartment building which will destroy my peace, my privacy, my health and that of my neighbours.

A reliable source has informed me that 134 units could possibly be built on this parcel of land, which would allow for 134 to 268 vehicles. This would add to the already congested Baseline Road. More cars would infringe on the safety of our children and others. More vehicles equal more pollution. Taller buildings would disturb the privacy of all of us (including our animal friends) in this area.

From my living room window, I can see the busy QEW, hear the train and view the escarpment. I moved here for the peace, quiet, natural beauty and clean air.

Fifty Point Conservation and Marina is a 5 minute walk or a 2 minute bike ride . People are walking, biking and jogging. Children are playing in the streets and at the daycare located across from the street.

Fifty Point is a magnificent 80 hectare park and is home to hundreds of species of birds and wildlife. There is an annual influx of boats, R.V.s, and all-day campers from April to November. Baseline Road is already a busy roadway during this time.

Bottom Line: Rezoning from Zone 2 to Zone 3 will definitely increase profit for the City of Hamilton, but at what cost? How much is my peace, privacy, health and that of my neighbours really worth?

A very concerned citizen,

[REDACTED]

Sent from my iPad

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** 1400 Baseline Road  
**Date:** March 25, 2021 8:47:51 PM

---

After reading the article in the Stoney Creek news I can't believe that any elected official representing Stoney Creek would consider building a multi storey residential building at that location.

As other area residents have stated, the traffic is already too busy and it is not safe for local residents.

Try taking a walk along the stretch of Baseline towards Fifty point and beyond where there are no sidewalks and a narrow road. My wife and I have come close to getting hit by cars many times over the years. The volume of traffic is already too much and I can only imagine what would happen building a multi storey building at that location.

Winona has always been overlooked for pedestrian and cyclists safety. Try walking over the Fifty Road overpass or the Winona Road overpass where there are no sidewalks for a majority of the road. Try doing the walk at night time because the lighting is terrible on both roads, and over the past 20 years we have witnessed cyclists get hit by cars, many people almost get hit at North Service Road and Fifty Road because of drivers not respecting the stop sign.

Only if the property is sold will enhancements be made in the areas I mention? Winona residents' safety does not appear to be your priority since nothing will be done unless the property is sold, and the City is happy to allow developers to build a 9 storey building when the area is already too busy.

Please do the right thing and make the Winona resident's safety as the priority, not bowing down to increasing the population living in that small area on Baseline Road.

[REDACTED]

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Cc:** [REDACTED]  
**Subject:** 1400 Baseline Road  
**Date:** March 28, 2021 12:56:17 PM

---

Good Afternoon,

We live in the Lakepoint Survey at 12 Gracehill Dr, Hamilton, ON L8E 6E6 and we wanted to express our concerns about the proposed development that is being considered for this property. We are not opposed to townhouses that would be similar to the ones that are just east of the property but we are totally opposed to a 9 storey high rise that Maria Pearson wants to let happen.

We have witnessed the backups that come from the overcrowding of Fifty Point CA, cars have stretched back as far as Fifty Road from the entrance to the park.

This goes on from May through September and it makes it totally impossible to go anywhere at the south end of the survey by the market. The roads are not wide enough on Baseline and Wilson to accommodate the amount of traffic that would be generated by high density buildings on that property.

Please do not Maria Pearson have her way because its obvious she does not care about the residents that live around there.

Thanks

[REDACTED]

**From:** [REDACTED]  
**To:** [Mahood, Alissa; DL - Council Only](#)  
**Subject:** 1400 Baseline Road  
**Date:** March 30, 2021 4:35:15 PM

---

To whom it may concern,

The March 18th "Let's Talk" Open House regarding 1400 Baseline Road was unfortunately anything but open. It ended up being less about hearing concerns and answering important questions, and more about making excuses and justifying the decisions already made.

Why were we not allowed to use video during the open house, so attendees could be properly answered face-to-face? Why couldn't we see the names of the other residents who were attending? Why were we unable to see the other questions and concerns? Why was there a character limit in the question box? Why wasn't the host reading every question as it came in? Why was the Ward 10 councilor, Maria Pearson, refusing to talk or add anything to the conversation if she was present the entire time? Why did she send a mass email to invitees stating, "I look forward to 'meeting' the neighbourhood virtually at the upcoming Webinar meeting," if she was never going to speak with us?

I've spoken to multiple residents who said their questions were ignored. Even if you weren't able to answer them, I think it's completely reasonable for you to at least hear them when they're asked.

If we weren't in a pandemic, there wouldn't be any of these lifelines to hide behind. It's a lot easier to make up excuses and show how little you care about faceless/nameless people than it is to stand face-to-face with them and listen to their concerns, their anger, and their pain over being ignored throughout the last few months. Honestly, I'm embarrassed that my city/community is represented by people who would go to such great lengths to diminish their residents.

Remember, we're in a situation right now where the city has rightfully put a pause on this rezoning because people in our community had to speak out after we weren't notified about any changes. The least that could be done is for the city to give us a reasonable opportunity to have every single one of our concerns listened to and questions answered. We didn't get that during the Open House, so are we going to have any chance of actually doing so?

All these things make it seem like the city is not interested in what we have to say. It was as if that whole Open House was just so the public record can now show that you "listened to concerns". Well, we weren't listened to, and you've only made things worse.

-----

Have you even spoken to anyone in the community that is pro-rezoning? Nobody I talk to out on the street wants this to happen. None of the almost 1000 members of our community Facebook page want this to happen. Does anyone care that everybody in the Fifty Point community will have to deal with the fallout of a 9-storey building, and 9-storeys worth of new residents, or are you more concerned with making a large sum of money to spend elsewhere?

It was repeatedly enforced that just because the land is zoned for up to 9-storeys, that doesn't

mean there's a guarantee that a 9-storey building will be going in there. However, since the rezoning will greatly increase the value of the land, I don't know any builder who wouldn't maximize what's available, to then maximize their return on investment. If anything, it's more likely that the builder will do everything they can to increase the maximum number of stories as well, and I honestly believe that the city would allow it.

-----

It's very important to acknowledge the fact that the QEW is a barrier for everyone in the Fifty Point community. We can't safely or quickly walk to Winona Crossing, and we have zero public transit, so we need vehicles to get around. The area isn't even designed to facilitate anything other than vehicles. However, there is a real issue regarding parking, and a large apartment building is guaranteed to increase that issue exponentially.

It was proposed that one of the benefits of the rezoning would be that we finally get a sidewalk along Baseline. We then were told that it would go on the South side of Baseline. This immediately creates a new problem. The way things are currently set up, parking is already a struggle in the area. Residents along the South side of Baseline have had a 2-car driveway for the last 10+ years, but by putting a sidewalk in there, you take away 23 parking spots. Unless you can come up with a way to give those back through on-street parking, you're going to create a massive parking issue.

On-street parking has been proven to slow down traffic (one of our other community concerns), so is that even up for consideration? Where else do you expect us to park our vehicles otherwise?

-----

A high-rise would also greatly diminish the beauty the area has to offer. It may seem minimal, but people live in this area because it's an escape from the densely populated cities. Nobody came here to have a giant building slapped right in the middle. On top of that, anyone to the North would have an obstructed view of the escarpment, the West would have an obstructed view of the sun rising, and the East would have an obstructed view of the sun setting.

-----

The community feels like we're being ignored, and no reasonable effort has been put forth by the city to change that. At this point, every action and statement I've seen from the city regarding 1400 Baseline Road has been completely unacceptable.

Respectfully,

██████████

**From:** [REDACTED]  
**To:** [Mahood, Alissa; DL - Council Only](#)  
**Subject:** Alternative Options with Density Desired by Council re: 1400 Baseline OPA / ZBA CI-20-A  
**Date:** April 17, 2021 8:58:31 AM  
**Attachments:** [image \(3\).png](#)  
[image \(4\).png](#)  
[image.png](#)

---

Dear Alissa;

Further to our email yesterday, it appears the photos did not display properly in the body of the email. Our apologies. There are now attached.

In addition, we have also done a preliminary assessment on property tax revenue. Should the ZBA allow for a 9 storey apartment, and should that be what is built, the tax revenue is estimated to be **\$200,000 per year lower** than a ground oriented housing built form of the same density.

While we understand that the \$200,000 per year is not new revenue to the city; it is revenue that results in 'tax shifts' for the existing property tax owners. Increased assessment value shifts also have an indirect benefit in that they allow for more capacity within areas such as Roads, Waste Management, Social Services, Public Health, Transit, Sidewalks & Library Services. In this case 40% capacity to absorb future rate increases.

Which begs the question; Why permit a potential 9 storey apartment building to be developed on this site?

Respectfully,

[REDACTED]  
On behalf of our Community

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Cc:** [DL - Council Only](#)  
**Subject:** Alternative Options with Density Desired by Council re: 1400 Baseline OPA / ZBA CI-20-A  
**Date:** April 16, 2021 10:05:26 AM  
**Attachments:** [image.png](#)

---

Good Day Alissa;

We have done some research on comparable developments within Stoney Creek, the City of Hamilton as well as in other municipalities. We are of the opinion that this land could be rezoned to accommodate the increased density sought (99 units / hectare) within a height restriction of 3.5 to 4 storeys.

***Can you please advise if there is any room to negotiate a less aggressive maximum height than the proposed 33ms / 9 storeys?***

From what we are reading, height does not necessarily address the need to house the expected population growth; nor does it address the changing market demands. We're not experts in Planning, however, common sense tells us that the growth in population to this area will predominantly be families of 2+ people.

We are sharing with you some information, with a request for Staff to evaluate the modifications proposed to vary the parent Zoning By-law regulations on height. We have copied in all of Council, because for all intents and purposes, Council is the 'applicant'; and Council as well are the final decision-makers.

**For example:**

- Sherwood Lanes Plaza - the **112 stacked townhouse dwellings** portion (excludes apartment) including parking, encompasses @ 1 hectare of that piece of land. A similar stacked townhouse dwelling only build on 1400 Baseline would be 112 units/hectare. 3 BR stacked townhouses **will provide housing to @ 270 people**
- 
- 257 Millen Road - 3 storey apartment with 40 units, 1 floor of units located below grade, & 100% surface parking recently built on lot half the size of Baseline. A similar proposal, but with **2 x 3 storey apartments** could result in a build on Baseline with 80 units / hectare which is still within the Medium Density range. A mix of 2BR/3BR only units in 3 storeys **would accommodate @ 190 people**
- 
- 560 Grays Road - 4/6 storey apartment on the exact same size lot as 1400 Baseline with majority of parking underground. The density for the 6 storeys is 141 units/hectare which exceeds the Medium Density designation however a similar style **L shaped build at 4 storeys** would max out at the 99 units/hectare cap being proposed in the rezoning. The expected population in the original 4 storey build was **projected to house 257 people**; as per the Planning file.
-



- In comparison, a **9 storey apartment** with a cap of 99 units/hectare **won't necessarily result in housing more people**; unless the mix of BRs is predominantly 3 or 4 BRs.
- 
- **Based on our modelling exercise, we roughly estimate 3 back-to-back stacked towns and 3 or 4 double stacked towns, with amenity space & 1 ingress/egress will 'fit' on this 1.17 hectare parcel of land.**

It is our understanding that the goal of the Growth Plan isn't simply more housing. The goal is to provide housing for more people to meet the needs of the expected population growth.

Therefore, it is our opinion that stacked townhouse similar to the renderings below will:

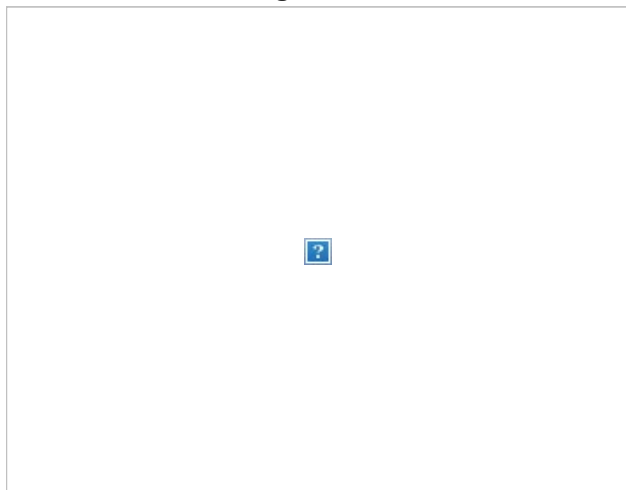
- (a) house more people,
- (b) meet the demands of the market;
- (c) help curb the need to expand the urban boundary into farmlands, and
- (d) more than triple the density contemplated in the Secondary Plan, while at the same time
- (e) provide a gentler form of infill that the existing residents won't oppose.

In Summary, we are not opposed to an increase in density from a cap of 29 units per hectare to 99 units per hectare. We do however have issues and are opposed to allowing a height of 9 storeys in light of the fact that:

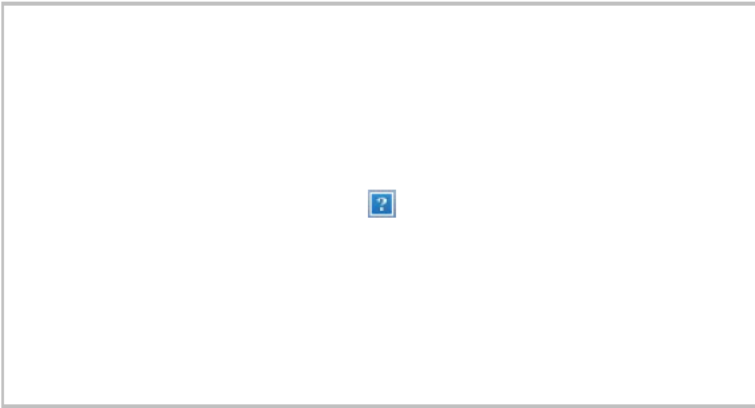
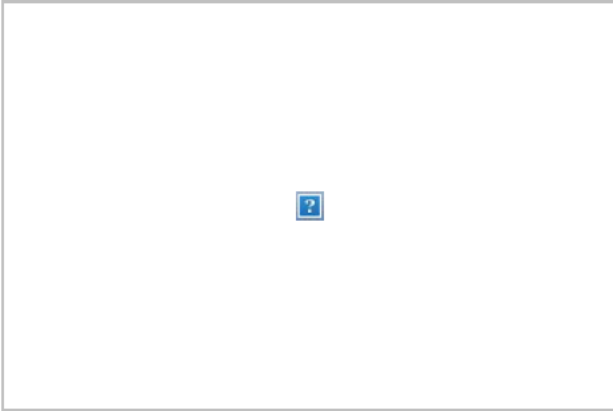
- (a) a Registered Professional Planner has provided opinion evidence that conformity to our Official Plan has not been achieved; and
- (b) Medium Density can be achieved with a reduced height restriction

Hence, we are respectfully requesting Council and Staff consideration in allowing us the opportunity to meet and discuss modifying the OPA & ZBA with a site specific height limit of 4 storeys.

**Cross Section Rendering:**



Streetview Conceptual Proposal:



Respectfully;

[Redacted Signature]

On behalf to the Community

P.S.... It is interesting to us, that there is only 1 plot of land within the Secondary plan with a Medium Density designation. It is located 4.1 kms east of the Baseline subject land. Although this was designated MD3 in the Secondary Plan, the built form is a mix of single family homes and 2 storey townhomes.

---

**From:** [Redacted]  
**Subject:** Baseline / Winston Road Proposal  
**Date:** April 1, 2021 4:06:06 PM

---

Allissa Mahood

I am writing to you as a concerned citizen on Winston Road, Grimsby, Ontario. I am absolutely against a 9-storey building being erected on the proposed small parcel of land on Baseline. This is a travesty to have such a large, over-powering structure placed in this rather precarious piece of land. There is an increase in the traffic on Baseline and Winston Road with the existing townhomes, condos, single family dwellings and Fifty Point Conservation Area and Marina already. There are very large trucks towing boats and campers down this very narrow roadway without adding the exorbitant number of residents relative to the proposed 9 storey unit. There aren't any other high-rise buildings in the area. There are only single-family homes and townhomes. Please, do not ruin the neighbourhood with the greedy developers' proposal. This type of structure is not warranted or wanted in our neighbourhood. Begging you to visit the area and see for yourself how out of place this proposed structure would be. Ridiculous is the only word I can conjure to describe this proposal.

Thank you for your time and attention.

[Redacted]  
[Redacted]

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** Baseline meeting  
**Date:** March 18, 2021 8:51:58 PM

---

Good evening,

Thank you for taking the time to meet with the concerned citizens in the Fifty Point area. As you heard tonight people are focused on the “9 storey building” part of the proposed rezoning. The reason for this concern was addressed in your answer to another question in which you clearly stated that there are no assurances that the developer could come back to the city with a proposed change and potentially build an even taller building. I, as a resident for 21 years, along with other citizens have seen the “rezoning of zoning” several times in this area. Herein lies the concerns. I do not believe the current infrastructure supports can handle anything other than single family housing or towns and with possibility of potential “rezoning of zoning” - the concerns are amplified.

Please note my concerns for the April 1st, 2021 meeting.

Thank you in advance,  
[REDACTED]

[Sent from Yahoo Mail for iPhone](#)

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Baseline Road/Winston Road - Rezoning Proposal  
**Date:** April 1, 2021 2:29:44 PM

---

Alissa Mahood:

I am writing to express my concerns regarding the above proposal for rezoning. In reading comments from residents in that area, I would have to agree with all that has been said. I don't think anyone is against development but it needs to be the proper development. Saturating that corner with nine-storey condo buildings does not seem proper. The requirement today is something like 1.15 - 1.25 parking spaces per unit. We all know almost all households have two cars. Are they supposed to cut their second car in half to try and fit it in a parking space. And no one wants to purchase an extra spot at a condo for approx. \$25,000. All these second cars will be trying to park on the streets across from this parcel of land which is already filled with the cars from people who live there.

I feel this land should continue with the style of housing that is already in place in that area, which is townhouses. Why should the residents that have been living there for years now have to put up with nine-storey condo people looking down at them. The greedy developers will come and throw in condos and run with their money. I have been reading all kinds of complaints from the condo residents closer to Casablanca, about how cheaply they were built and all of the different noises they are hearing as well as people smoking on balconies which ends up in someone else condo. Is this the kind of housing we are building for people?

The traffic all around that area has definitely increased immensely in the past few years. I'm speaking from the Winston Road side of the fence. We have seen a significant increase in traffic ever since the development of houses all around Fifty Road. They seem to travel along Baseline/Winston much more than the North Service Road. Not sure why, other than it's one block out of their way to get to the service road. Speed humps don't bother some as they fly over them like they aren't there.

We have to pull over and wait for all of these cars to go by just so we can back in our driveway. There are always people walking (even more since Covid), bicycles (Baseline/Winston is part of the Waterfront Trail) and all of these extra cars. Sundays are pathetic on this roadway. Everyone is out on Sundays.

I feel these rezoning requests are being rushed before people can go to actual in-house meetings. You're not getting all of the proper responses to the way residents really feel because of the virtual (Zoom) meetings. Not everyone is comfortable with this type of technology.

Please give this your utmost thought before it's too late.

Thank you for your time.

[REDACTED]  
**A Concerned Citizen of  
Baseline/Winston Road Area**

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** Change Proposed for 1400 Baseline Rd  
**Date:** February 27, 2021 6:07:38 PM

---

Hi Alissa,

I'm reaching out in regards to your plans to develop a 9 story condo at the corner of Lockport and Baseline by 50 point. We have enough of these Condo's in our area. Between Casablanca and 50 road is becoming more and more developed with Condo's and there is no longer capacity for traffic flow. Baseline road has limited sidewalks and can not be expanded any further. Traffic at both Lockport and the North Service Road as well as 50 road and the north service road has become extremely congested during peak hours. As this happens people are driving more recklessly and the environment on the roads in this area is becoming less safe. There are several school bus routes that go to elementary schools and I have concerns about this increase in traffic and congestion without taking serious measure to develop the area to be more pedestrian and vehicular traffic friendly. Furthermore there is no pedestrian access to the south side of the QEW. You have to drive. This completely cuts off pedestrian traffic on the lake side from useful amenities located in the new plazas. We don't need more condo's we need useful shops and small businesses on this side of the highway. Before I could support any type of project in this area we would need to see upgraded routes for pedestrian traffic as well as city busing to this area to help remove cars from the road (the nearest city bus is well past Fruitland almost 10km away).

This is a small residential community that has reached its current capacity for residential.

[REDACTED]

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** Correspondence respecting the proposed development at 1400 Baseline Road in Stoney Creek.  
**Date:** March 19, 2021 1:33:54 PM

---

I did attend the Cisco Webex meeting last night but I could not access my keyboard on my I-pad .  
I still have questions.

Why was the Cisco Webex meeting only in English?

The diversity of the residences in this area were not accommodated for.

Were there mail- outs in their native languages?

You had mentioned that the amendments to change the zoning required the following:

Size of the area, the surrounding land uses and neighborhood characteristics.

Size of area: 1.17 hectares

Zone 2 allows 1 and 29 units per hectare :possibly 58 vehicles (2 cars per household)

Zone 3 allows 50 and 99 units per hectare: possibly 198 vehicles (2 per unit)

As you have heard from people in attendance , there is problem with traffic on Baseline Road and also North Service Road.

Surrounding land use:

Surrounding land use is low residential Zone 2, single family dwellings and townhouses, with a small plaza nearby.

Neighborhood characteristics

This area is a neighborhood family, young families and seniors. Fifty Point Conservation area near by.

People riding their bikes on Baseline Road, school bus stop at the corner of Raintree Drive and

Childcare centre at the corner of Lockport Way and North Service Road.

CBC News Posted Feb. 07, 2020" single family properties increased regarding sales in the area. See attached.

Hamilton Real Estate Market Updates February 2021 Hamilton indicated that our zone 51 was among the top 4 areas that had the highest number of sales .

In 2020: 111 number of sale and 2021: 117 number of sales. See attached.

Families are looking for detached single family dwellings.

Attached from Mar.11 2021 from Chritine Vernem regarding 1400 Baseline Road.

Am I correct that this email indicated that this piece of land has already been changed to a Zone 3?

This meeting , mail-outs and we meeting was just their due diligence?

I await your reply

[REDACTED]  
p.s.

I am not very good on the computer so you will be receiving 4 pieces of info. I do not know how to paste!

Sent from [Mail](#) for Windows 10



**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** Event 185 492 3808 => Comments  
**Date:** March 29, 2021 1:00:55 PM

---

Hello Alissa,

I attended the Webex session of April 18,2021, regarding the construction of townhomes/ or a building at 1400 Baseline Road, Stoney Creek. Towards the end of the session, you indicated that we – the attendees – could send you comments regarding the construction plans por that area.

These are my comments:

1. North Service Rd and Baseline Rd are 2 lane roads with little room for expansion (less than 9mts each), and during the summer months particularly, there is heavy traffic on these roads...the construction of these homes or building will add to this problem... the question is: What are the plans to address this traffic issue? How many more cars will this new construction bring? Additional impact to the current problems?
2. Is this new construction going to be dedicated to social housing? During the session, you mentioned that the construction of a building will allow for more affordable housing... meaning??
3. The corner of North Service Rd and of 50 Road is already experiencing traffic issues during peak times in particular, and this problem will get compounded by additional traffic from the new construction... These 2 roads are also 2 lane roads, thus, a traffic light at this corner will not resolve the issue... what are your plans to deal with this matter?
4. There is new home construction under way between 50 Road and Fruitland – about 500 mts from 50 Road – and I don't know how many homes will be built on that area – but this will definitely add to the traffic issues mentioned before.
5. Traffic at the corner of Fruitland and North Service Rd is already quite messy with the recent building of townhomes, thus, I suggest you and/or people from your division visit/analyze this place to see what the issues and dangers are... the traffic lights installed have not addressed the issues with traffic during peak hours and or during the day for that matter... also, the townhomes at this intersection are an eyesore!

Please let me know if you have any comments or questions regarding the above and, also, an idea of when we could have some answers to the issues raised at the meeting.

Best regards,

[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** FW: Hamilton housing sales up compared to January 201...  
**Date:** March 19, 2021 1:35:47 PM

---

Sent from [Mail](#) for Windows 10

---

[REDACTED]  
**Sent:** March 19, 2021 1:35 PM  
**To:** [Alissa Mahood](#)  
**Subject:** FW: Hamilton housing sales up compared to January 201...  
Sent from [Mail](#) for Windows 10

---

[REDACTED]  
**Sent:** March 18, 2021 11:11 AM  
**To:** [Sherry Corning](#)  
**Subject:** Hamilton housing sales up compared to January 201...  
<https://www.cbc.ca/news/canada/hamilton/hamilton-housing-sales-january-2020-rahb-1.5454837>  
Sent from my iPad

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** FW: Hamilton housing sales up compared to January 201...  
**Date:** March 19, 2021 1:35:08 PM

---

Sent from [Mail](#) for Windows 10

---

**From:** [REDACTED]  
**Sent:** March 18, 2021 11:11 AM  
**To:** [REDACTED]  
**Subject:** Hamilton housing sales up compared to January 201...  
<https://www.cbc.ca/news/canada/hamilton/hamilton-housing-sales-january-2020-rahb-1.5454837>  
Sent from my iPad

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** FW: Hamilton Real Estate Market Updates | Market Outl...  
**Date:** March 19, 2021 1:37:16 PM

---

Sent from [Mail](#) for Windows 10

---

**From:** [REDACTED]  
**Sent:** March 18, 2021 11:03 AM  
**To:** [REDACTED]  
**Subject:** Hamilton Real Estate Market Updates | Market Outl...  
<https://www.judymarsales.com/news/market.aspx>  
Sent from my iPad

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** Fwd: 1400 Baseline Road. Stoney Creek  
**Date:** March 5, 2021 9:34:39 AM

---

Sent from my iPad

Begin forwarded message:

[REDACTED]  
**Date:** March 4, 2021 at 9:00:18 AM EST  
**To:** maria.pearson@hamilton.ca  
**Subject:** 1400 Baseline Road. Stoney Creek

Maria:

I am very concerned regarding the rezoning of this land from a low residential 2b to a medium density residential 3 zoning.

Why is this rezoning being considered?

There are so many pages of rezoning material in the Zoning By-law ,that it is very confusing.

There must be bylaws regarding proximity to a conservation area?

Are you aware of the bus stop at the end of Raintree Drive and Baseline Road?

There is enough congestion at the corner of Baseline Road and Fifty Road.

I moved to this area because of the low residential buildings.

I await your reply.

[REDACTED]

Sent from my iPad

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** Fwd: 1400 Baseline Road: Peace, Privacy and Health  
**Date:** March 28, 2021 8:39:13 AM

---

Sent from my iPad

Begin forwarded message:

[REDACTED]  
**Date:** March 27, 2021 at 2:26:57 PM EDT  
**To:** Maria Pearson  
**Subject:** Fwd: 1400 Baseline Road: Peace, Privacy and Health

Rezoning from Zone 2 low density to Zone 3 medium density will allow a developer to erect a 9 storey apartment building which will destroy my peace, my privacy, my health and that of my neighbours.

A reliable source has informed me that 134 units could possibly be built on this parcel of land, which would allow for 134 to 268 vehicles. This would add to the already congested Baseline Road. More cars would infringe on the safety of our children and others. More vehicles equal more pollution. Taller buildings would disturb the privacy of all of us (including our animal friends) in this area.

From my living room window, I can see the busy QEW, hear the train and view the escarpment. I moved here for the peace, quiet, natural beauty and clean air.

Fifty Point Conservation and Marina is a 5 minute walk or a 2 minute bike ride . People are walking, biking and jogging. Children are playing in the streets and at the daycare located across from the street.

Fifty Point is a magnificent 80 hectare park and is home to hundreds of species of birds and wildlife. There is an annual influx of boats, R.V.s, and all-day campers from April to November. Baseline Road is already a busy roadway during this time.

Bottom Line: Rezoning from Zone 2 to Zone 3 will definitely increase profit for the City of Hamilton, but at what cost? How much is my peace, privacy, health and that of my neighbours really worth?

A very concerned citizen,



Sent from my iPad



**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Cc:** [DL - Council Only](#)  
**Subject:** 1400 Baseline - CI-20-A OPA & ZBA Proposals  
**Date:** February 7, 2021 3:52:38 PM  
**Attachments:** [PRELIMINARY ISSUES LIST -UHOP.docx](#)  
[urbanhamiltonofficialplan-volume2-appendixb-secondaryplanresidentialdensitychart.pdf](#)

---

Hello Alissa

Re: City Initiative to amend the Urban Lakeshore Secondary Plan & amend the Zoning to site specific, with modifications.

We are writing to you, with a c.c. to Council, on behalf of a community of residents who are becoming more aware of sprawl developments and the impact inadequate serviced proposals have on our own personal property taxes & quality of life. (especially in an area serviced with TransCab - which still, 20+ years post-amalgamation & growth, continues to be area rated to landowners within the old City of Stoney Creek boundaries)

After reviewing the Planning file, it was evident that the existing servicing infrastructure will only accommodate a proposed build of **70 people**; which equates to approximately **29 housing units** per hectare. Any proposals over 29 units per hectare will result in a development that downloads some of the costs to build to the tax base (87% of which will be funded by the residential tax base).

While we appreciate that "land use planning" doesn't generally drill down on the financial impacts, we are of the opinion Staff Recommendations should provide transparency in what will be required by way of enhanced infrastructure & public investments to support an OPA to the Medium Density 3 range of **75 to 100 units** per hectare; which equates to **180 - 240 people**.

As the Official Plan amendment will result in current landowners covering cost with public funds through tax increases, we are adversely impacted. We are of the opinion a full evaluation and transparent pertinent information should be provided to the public.

Can you please advise why the Staff Recommendation was void of these pertinent Fiscal Consideration details?

We also noted that our Urban Hamilton Official Plan contains a Chart (see attached) of Densities specific to areas that have a Secondary Plan. We've highlighted the present OP designation as well as the proposed amended OP designation.

(a) Can you please advise why any of the other 15 options (which would have also provided differing housing forms and densities) were not the final recommendation of Staff?

(b) Can you please advise why Medium Density 3 is in the draft OPA by-law, when based on this section of our OP, that designation doesn't conform to our UHOP - existing Secondary plans?

(c) Can you please advise why Medium Density 2c, at a density of 60 - 75 uph, is not the designation that ensures conformity with UHOP since this subject land is within the existing

Urban Lakeshore Secondary Plan?

We've also taken some time to formulate a Preliminary Issues List of OP policies that we believe have not been conformed to. This is only a list of Chapter F policies and is a work in progress. We are sending this to you at this time with a request that you please provide a planning opinion on these Official Plan policies and/or why the Staff Recommendation excludes these policies.

We look forward to hearing back from you at your earliest opportunity.

Respectfully,

A large black rectangular redaction box covering the signature and name of the sender.

**PRELIMINARY ISSUES LIST**  
**OF**  
**INCONSISTENCIES/NON-CONFORMITY**  
**WITH CHAPTER F - IMPLEMENTATION**  
**OF THE URBAN HAMILTON OFFICIAL PLAN,**

**F.1.0 PLANNING ACT IMPLEMENTATION TOOLS**

Official Plan Amendments

1.1.5 When considering amendments to this Plan, including secondary plans, the City shall have regard to, among other things, the following criteria: a) the impact of the proposed change on the City's vision for a sustainable community, as it relates to the objectives, policies and targets established in this Plan; and, b) **the impact of the proposed change on the City's communities**, environment and economy and the effective administration of the public service.

1.2 Secondary Plans and Neighbourhood Plans

1.2.9 When secondary plans are updated, opportunities for achieving the growth management targets of Policy A.2.3.3 shall be considered as part of the secondary plan process.

1.5 Zoning By-law

The Zoning By-law is one of the key implementation tools to ensure the City's goals, objectives and policies of this Plan are realized. The Zoning By-law regulates permitted uses and associated performance standards, setbacks, lot areas, height, landscaping and parking requirements.

1.5.1 The City shall prepare a **Zoning By-law that implements this Plan** except for the lands that are within the Development Control area of the Niagara Escarpment Plan.

1.5.2 The Zoning By-laws of the former municipalities shall remain in effect until the new Zoning By-law takes effect. However, **any amendments shall be in conformity with this Plan.**

1.5.5 There are instances where intended zoning for certain lands in the urban area has not yet been determined, and lands remain zoned for agricultural purposes or have been zoned as a future development zone. **These lands may be rezoned to a Future Development zone** to allow for the following matters to be addressed: a) to implement the provisions of the Urban Hamilton Official Plan, including, but not limited to policies relating to natural heritage and environmental considerations, cultural heritage, built form, urban design, and principle of use; b) to ensure adequate transportation and municipal servicing to support the land use; and, c) to establish phasing to ensure orderly development and/or redevelopment of the lands. (OPA 109)

1.5.7 Council may pass a By-law to rezone all or parts of the lands within the Future Development zone to permit development or redevelopment at such time as the City is satisfied that conditions of Policy F.1.5.5 are met. (OPA 109)

### 1.7 Site Plan Control

Site plan control is an important means of encouraging well-designed, functional and universally accessible development in Hamilton. The City shall review and approve plans that show the location, design and massing of buildings, the relationship to adjacent streets and buildings, public access areas, the layout of parking and service areas, site landscaping and other aspects of development.

### 1.8 Holding By-laws

1.8.1 Council may use the Holding "H" symbol in conjunction with the Zoning By-law to identify the ultimate use of land but to limit or to prevent the ultimate use in order to achieve orderly, phased development and to ensure that servicing and design criteria established in this Plan have been met prior to the removal of the "H" symbol.

1.8.2 A Holding symbol may be applied under any or all of the following circumstances and specified in the Holding by-law: a) where development is contingent upon other related matters occurring first, such as but not limited to: i) completion of required site or area specific studies which are to be specified in the by-law;

### 1.9 Bonusing Provisions and Transfer of Development Rights

The City may authorize increases in the height and/or density of a proposed urban area development, beyond those permitted in the Zoning By-law, in return for the provision of community benefits that meet the policy objectives of this Plan.

1.9.1 The City may permit heights and densities that exceed the maximum densities of this Plan and the Zoning By-law, provided: a) the proposed increase in height and density is in compliance with the goals and policies of this Plan; and, b) the community benefit provided is directly related to the increased height and density of the proposal.

1.9.2 The City may seek to secure any of the following community benefits: a) provision of housing, in particular rental and affordable housing; k) amenities for, or conducive to active transportation, such as pedestrian amenities or cycling facilities; l) enhanced public access and connections to community facilities, open space and natural areas, including public walkways trail systems;

1.9.4 **Prior to enactment of a Zoning By-law amendment** under Section F.1.9 – Bonusing Provision and Transfer of Development Rights, the City shall require the proponent to enter into one or more agreements dealing with the provisions of facilities, services or matters including the timing of conveyances or payments for community benefit to the City. The agreement shall be included in the relevant development agreement which shall be registered on title, where possible, against the land to which it applies, or in a restrictive covenant.

### 1.15 Community Improvement

1.15.3 Community Improvement Plans shall provide direction regarding the application of one or more of the following: a) allocation of public funds such as grants, loans or other financial instruments for the physical rehabilitation, redevelopment or improvement of land and/buildings; f) other municipal actions, programs or investments for the purpose of strengthening and enhancing neighbourhood stability, stimulating production of a variety of housing types, facilitating local economic growth, improving social or environmental conditions, or promoting cultural development

### 1.17 Public Participation and Notification Policies

One of the principles of sustainability is transparent and participatory government. In recognition of this principle, the City shall involve the various people and organizations throughout the City, including residents, business, special interest groups, non-governmental organizations and other levels of government.

1.17.1 The City may use a variety of communication methods to seek input on planning matters or to provide information to the general public. Depending on the issues and in accordance with the Planning Act, R.S.O., 1990 c. P.13, the City shall choose the most appropriate method of communication. Communication may be in the form of: a) direct mail outs; b) public notice signs; c) surveys, electronic or mail out; d) public information open houses; e) public meetings; f) City web site; and/or, g) workshops.

1.17.2 Notification of public meeting(s) for the adoption of the Official Plan and amendments, changes to the Zoning By-law, plans of subdivision and Community Improvement Plans shall be given to the public at least 17 days prior to the date of the meeting(s) and the notice shall be given in accordance with the applicable requirements of the Planning Act, R.S.O., 1990 c. P.13 regulations.

1.17.4 Where a notice of public meeting **or written notice of an application** is required for Planning Act, R.S.O., 1990 c. P.13 application, other than those identified in Section F.1.17.2, notice shall be given in accordance with the applicable requirements of the Planning Act, R.S.O., 1990 c. P.13.

### 1.19 Complete Application Requirements and Formal Consultation

1.19.1 Formal consultation with the City shall be required prior to the submission of a Planning Act, R.S.O., 1990 c. P.13 application(s) for an official plan amendment, Zoning By-law amendment, draft plan of subdivision, or site plan.

1.19.2 The purpose of such formal consultation shall be to review a draft development proposal for the lands affected by the proposed application(s) and identify the need for, and the scope of other information and materials considered necessary by the City and other affected agencies to allow comprehensive assessment of the development application(s).

1.19.3 Notwithstanding Policy F.1.19.1, the City may waive the requirement for formal consultation, where the City has identified that, due to the nature of the proposal, the need for and scope of required other information and materials can be determined without a formal consultation. The City shall provide the applicant with a form that identifies the necessary other information and materials to be submitted with the application(s) to deem it complete

1.19.4 The City shall only accept **and process complete Planning Act, R.S.O., 1990 c. P.13 applications** for official plan amendment, Zoning By-law amendment, draft plan of subdivision and site plan.

1.19.5 A Planning Act, R.S.O., 1990 c. P.13 application(s) shall be deemed complete provided that: a) it satisfies all applicable provincial requirements; b) it satisfies all requirements set out in this Plan; and, c) it shall be accompanied by all the other information and materials listed in Table 1.19.1 as determined by the procedures of Policy F.1.19.1 or F.1.19.3.

### **F.3.0 OTHER IMPLEMENTATION TOOLS**

3.1.1.1 The requirements of the studies identified in Section F.3.1 – Supporting Plans shall be considered **as minimum requirements**. These requirements may be expanded upon.

### 3.1.3 Archaeology Management Plan

3.1.3.2 Until such time as an archaeology management plan is complete, archaeological resource sites or areas of archaeological potential shall be identified and evaluated in accordance with provincial guidelines and City policies and protocols.

### 3.2 Council Adopted Guidelines and Technical Studies

Council adopted guidelines and technical studies provide the necessary guidance for the preparation of specific studies. Certain guidelines will require adoption by Council. The requirements of the studies identified in Section F.3.2– Council Adopted Guidelines and Technical Studies shall be **considered as minimum requirements**. These requirements may be expanded upon.

### 3.2.2 Hydrogeological Studies

3.2.2.1 The City shall develop and adopt Hydrogeological Study Guidelines which may be required by proponents and professionals when preparing development feasibility and hydrogeological studies. The results of these studies shall be used to determine hydrogeological setting, hydrogeological connections to any surface, potential impacts on groundwater quantity and quality, and the suitability of the site for development. In the absence of guidelines, studies shall: a) assess impacts of groundwater on existing development (both privately and municipally serviced) and future development caused by the excavation for servicing and basements; b) recommend measures to mitigate groundwater impacts such as continuously running sump pumps both during construction and post construction; c) determine the availability of sufficient and suitable water supply without impacting neighbouring wells; and, d) set parameters for monitoring that may be required.

### 3.2.10 Public Consultation Strategy (OPA 49)

3.2.10.1 Council has adopted Public Consultation Strategy Guidelines which **shall be used** by proponents when preparing a strategy that **is required as part of a complete application**. The City may revise the Public Consultation Strategy Guidelines from time to time.

### 3.4 Monitoring and Measuring Performance

3.4.1 Monitoring and measuring performance of this Official Plan is critical to determine if: a) the assumptions of this Plan remain valid; b) the implementation of the policies fulfill the overall goals and objectives of this Plan; c) growth targets listed in Sections A.2.3 - Growth Management – Provincial and B.2.4.1 - General Residential Intensification Policies, are being met; and, d) the priorities identified in this Plan remain constant or require change.

## **F.4.0 MUNICIPAL LAND AND BUILDING ACQUISITION**

The City may acquire or hold land for the purpose of developing any feature of this Plan, and dispose of the land when no longer required. In general, this shall be done pursuant to the provisions of the Municipal Act which permits the acquisition of land for this purpose, except where more specific legislation may assist in this regard.

### 4.1 Acquisition and Disposition of Lands and Buildings

4.1.1 The City may hold or acquire land from time to time in order to develop any feature to implement particular policies of this Plan. Any land so acquired may be **sold, leased, or otherwise disposed of** when no longer required.

Appendix B – Secondary Plan Residential Density Chart

**RESIDENTIAL CATEGORIES FOR ALL FUTURE & EXISTING SECONDARY PLANS**

Volume 1	Built Form	Density	
<p>R1 0 – 60 uph</p>	<p><b>Low Density 1</b> Includes only singles</p>	<p>0-20 units per hectare (uph)</p>	
	<p><b>Low Density 1 (for existing Secondary Plans ONLY)</b>                      (a) Includes single detached at a maximum density of 18 units per hectare.                      (b) Includes single detached at a maximum density of 15 units per hectare.</p>	<p>0 - 20 uph</p>	
	<p><b>Low Density 2</b> Includes singles, semis, duplex, triplex, and street town homes</p>	<p>20 – 40 uph</p>	
	<p><b>Low Density 2 (for existing Secondary Plans ONLY)</b>                      (a) Includes only single and semi detached dwellings                      (b) Includes single, semi, and duplex dwellings                      (c) Includes street, block, and courtyard townhouses, as well as other innovative ground oriented attached housing forms                      (d) Includes single and semi detached dwellings , row houses, and stacked and blocked townhouses, as well as innovative forms of attached housing                      (e) Includes single and semi detached dwellings, duplex, link dwellings, cluster homes                      (f) Includes single and semi detached dwellings, duplex, and triplex                      (g) Single detached, semi-detached and duplex dwellings, converted dwellings, shared accommodation, rooming and boarding houses and other similar forms of housing                      (h) Street and block townhouse dwellings, and other forms of multiple dwellings such as duplexes, triplexes and stacked townhouses</p>		
	<p><b>Low Density 3</b> Includes singles, semis, duplex, triplex, and street town homes same as above but higher density</p>		<p>40 - 60 uph</p>
	<p><b>Low Density 3 (for existing Secondary Plans ONLY)</b>                      (a) Street, block, stacked and courtyard townhouses                      (b) Street &amp; Block Townhouses &amp; innovative forms of attached housing                      (c) Low rise apartments, Row houses, Stacked &amp; Block Townhouses &amp; innovative forms of attached housing                      (d) Stacked, courtyard &amp; block townhouses                      (e) Low-rise apartments, stacked townhouse dwellings and quatroplexes                      (f) Low rise apartments</p>		

Appendix B – Secondary Plan Residential Density Chart

Volume 1	Built Form	Density
R2 61 – 100 uph	<b>Medium Density 1</b> Includes only singles and semis Rarely located in suburban areas <b>Medium Density 1 (a)</b> Includes ONLY street townhouses - rarely located in suburban areas	60 - 75 uph
	<b>Medium Density 2</b> Includes full range of housing forms, but no singles or semis <b>Medium Density 2 (for existing Secondary Plans ONLY)</b> (a) Low rise apartments (b) Stacked townhouses & low rise apartments (c) Apartments, townhouses, stacked townhouse dwellings and other forms of multiple attached dwellings as single form/mixed form	60 – 75 uph
	<b>Medium Density 3</b> Includes full range of housing forms, but no singles or semis	75 – 100 uph
	<b>High Density 1</b> Includes apartments <b>High Density 1 (for existing Secondary Plans ONLY)</b> (a) All forms of townhouses, apartments, and other forms of multiple dwellings	100-200 uph
R3 101 - 500 uph	<b>High Density 2 (Central Hamilton Only)</b> Includes apartments	200-500 uph
	<b>High Density 2</b> Includes apartments	200-300 uph



**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Cc:** [DL - Council Only](#)  
**Subject:** Parking Issues After Full Build-out - 1400 Baseline CI-A-20 OPA/ZBA  
**Date:** March 28, 2021 10:25:27 AM

---

Good Morning Alissa,

We're sharing with you some information and the impacts of decisions made at Planning that you are likely not aware of, with a request for Staff to evaluate the modifications proposed to vary the parent Zoning By-law regulations. We've copied in all of Council, because for all intents and purposes, Council is the 'applicant'; Council directed Staff to amend the OP to Medium Density 3 back in May 2019; and Council as well are the final decision-makers.

***Can you please advise if there is any room to negotiate a less aggressive reduction in the parking standards?***

There are significant parking issues with the residents who purchased/or are 2ndary renters in a particular build in our area (10 towns and 2 x 6 storey apts mixed complex). The build is not unlike what is being proposed for 1400 Baseline and is a meaningful situation to draw on about what happens after a development is built with reduced parking North of the QEW

The Condo board is looking at spending thousands and thousands of dollars on "taking back" the spaces for Visitor Parking via application to Committee of Adjustments so that they can somehow "sell" those spots at \$30K per to residents who need a 2nd spot. It's a major 3 year sxxx show & has created a major division between the people who live there. (cars being towed, cars being damaged when towed, residents not being able to park in their own spots, residents 'blocking' visitor spots, airbnbers parking in wrong spots, etc )

In the last 3 months, many calls were made to Parking enforcements and 16 tickets were handed out for different violations.

The latest situation was the following - 4 work vehicles/vans got ticketed the other night for parking on the street. There was a complaint called in because "commercial" vehicles exceeded the 4 hour max overnight limit. *(separate issue that Planning should address since by-law seems to be a disconnect from needs of residents who have company vehicles -much to everyone's surprise the 12 hour overnight limit does not apply to vehicles that have commercial signage exceeding 15 sq inches or small pick-up trucks/vans with commercial license plates)*

Note that those types of tickets take 2 trips for a MLE (municipal law enforcement) officer. A lot of public \$'s for a \$30 ticket - of which we've heard the city might only recover about 50% from people who actually pay, after spending even more public funds at the Provincial Offences office. It's a significant loss of public \$'s which can be mitigated from not approving

overly aggressive reduced parking during Planning. In summary, the present situation is a lose-lose.

Can you please advise why Staff are recommending an overly aggressive reduced parking standard for 1400 Baseline?

- The parent by-law was written to recognize RM3 apartments in Transcab zone might require more parking. Hence, the option was written into the by-law for upwards of 1.75 spots plus .35 spots for visitors per unit = 2.1 per unit *regardless of the # of BRs*
- The reduction proposed, without knowing the mix of BRs per apartment unit, could be as high as a reduction of approximately 80 spaces.
- 80 spaces requires 480 metres of available public roadway off site.

Can you please advise if there is 480 metres of open roadway available in the whole neighbourhood?

Can you please advise if Staff have considered a reduction of parking will likely result in occupants purchasing annual HCA passes for \$130 simply to park locally for only \$11 per month?

As per the Staff Recommendation in January, "*This reduction is common in recently approved developments*" however, the Staff Report is silent on the after effects.

From what we can determine, the lot, at net 1 hectare now, isn't large enough to accommodate all the parking on site that is 'required' for the amount of housing units the City desires to have on site. The adjacent road network (NSR, Lockport Way, and Baseline Road) is a no-parking zone and will remain as such due to the large sized vehicle traffic to Fifty Point Conservation area. Therefore, it is reasonable to assume overflow parking will have negative impacts in the near vicinity of the land; including but not limited to snow removal & public safety on what potentially will be 480 metres of public lands.

We read in the Staff Recommendation in January that "*This proposed modification has been reviewed by the Supervisor of Zoning who approves of these reductions*". Can you please provide us with a copy of that document? It doesn't appear to be in the Planning file documents the public was provided with. Can you also please advise whether or not any of the Staff that reviewed this proposal live in a Transcab area and/or has reviewed the Transportation Tomorrow document specific to Ward 10 Stoney Creek?

We believe Staff are recommending an overly aggressive reduction in parking standards, hence we are asking if there is an opportunity for consultation on some sort of common ground that would be in the best interests of the city long term, as well as the residents

(present and future). Please advise.

Respectfully,

A large black rectangular redaction box covering the signature area.

---

---

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** Planning// 1400 Baseline Road, Winona April 1, 2021  
**Date:** April 1, 2021 10:57:10 PM  
**Importance:** High

---

Hi Alissa

This is a follow up to the Webex meeting of March 18, 2021 regarding 1400 Baseline Road, Winona and as per the Stoney Creek News article of March 25, 2021.

Due to another virtual meeting that evening, I was only able to observe the first 25 minutes but I was able to hear you indicate that the money from the sale of the land was slated for affordable housing, later adding that there may be some for Traffic. I believe your statement to be true as I recall a similar statement at either the Jan. 12 Public Meeting or the Council Meeting. It is, however, unsettling to receive a response email from Councillor Pearson that claims the money from the sale of the land will come back to us (the residents) and be directed toward our concerns – traffic, lighting etc on Baseline and Fifty Rd. Her statement has yet to be verified.

Changing the zoning to include up to a 9 storey Apartment building with a possible density of up to 99 persons is not in keeping with the surrounding area. Maintaining the current zoning makes the most sense, especially when considering the current local density, current traffic in the area, current parking and the proximity of this land to the Fifty Point Conservation Area and all that that means. Residents do not need residents of a 9 storey building, perched in the middle of their community, looking into their back yards and through their windows.

During the March 29, 2021 11 hour meeting regarding housing and planning for the next 30 years, it was noted that the “market demands” are for ground oriented housing (single family, towns and semis) and NOT apartments. The city hired consultant is only projecting the need to build 2,650 apartments from now until the year 2051 in the whole city! The area from Green Road to the City Boundary with Niagara appears to have that covered already, with the # of condo apartment units going in on Frances Avenue.

Good to know that you have indicated that, due to the many concerns regarding parking issues in the area, staff will be re-evaluating the proposed parking reduction and that, in addition, transportation staff will be carrying out traffic counts in the area over the months of May and June.

Please ask that those traffic counts include **July and August** when incoming and outgoing vehicles attending Fifty Point CA are at their peak.

I am happy to hear that the review process has been restarted and that a 2nd public meeting will be held on this application. Hopefully the residents concerns will be heard and addressed. The Planning Act of Ontario indicates (Citizen's Guide to land use Planning) that "the central activity in planning a community is making an official plan, a document which guides future development of an area **in the best interest of the community as a whole.**" "The act encourages early upfront involvement and the use of mediation techniques to resolve conflict."

Please consider this my request to be notified of any and all meetings and activities regarding this application but without using my personal and identifying information in City of Hamilton documentation, including but not limited to, the Hamilton Website!

I am making my views known early in this **restarted** planning process. Hopefully the residents concerns will be heard!

Thanking you in advance,



From: [REDACTED]  
Date: March 31, 2021 5:46:27 PM  
Attachments: [image003.png](#)

---

Thank you Alissa for providing me with further information.

Recent articles in the Hamilton (Stoney Creek) News however, have conflicting quotes from Councillor Pearson. Specifically, Councillor Pearson is now advising the public that proceeds of the sale are also going to be spent to support the 28 storey/600+ unit development at Winona Road, South Service Road and Vince Mazza Way.

In your reply you've advised that regarding the sale of the property, "proceeds will go towards affordable housing initiatives in the City as well as local transportation improvement in the fifty Point Neighbourhood."

The development on Winona, South Service road and Vince Mazza Way is outside of the Fifty Point Neighbourhood.

Can you, or Councillor Pearson, please clarify the mixed messages?

I've also been made aware that the 2018 capital budget project for signalization at Fifty Road and North Service Road has \$80,000 in taxpayer funded reserve, and that it was expected to be funded with an additional \$270,000 from development charges in 2019. The project itself has now been deferred to the 2023 budget cycle, and coincidentally, signalization at Vince Mazza Way and South Service Road was just added as a placeholder with a start/end of 2022 in the 2021 budget.

Now that I'm looking into and learning a bit more about the municipal finances, I find it deeply disturbing that the local residents are being misled. Signalization at Fifty Road and North Service Road, whenever that may occur, does not require a 'pot of money' from the proceeds of the sale of our public asset at 1400 Baseline Road. That project is a growth project and will be paid for from Development Charges.

Presumably too, signalization on Winona Road is also a growth project.

Can you, or any member of Council, please confirm that sidewalks on the Fifty Road overpass is the only transportation infrastructure project (singular) which Council has approved from the proceeds of sale?

For your reference Alissa, and that of Council, here is the link to the Stoney Creek News article where Councillor Pearson has referenced signalization on Winona Road will now be paid for from the proceeds of this public asset: [Stoney Creek Coun. Maria Pearson stands by city bid to allow 9-storey building near Fifty Point \(hamiltonnews.com\)](#)

Thank you for you time

On Wed, 24 Mar 2021 at 10:11, Mahood, Alissa <[Alissa.Mahood@hamilton.ca](mailto:Alissa.Mahood@hamilton.ca)> wrote:

Hi [REDACTED]

Thank you for your comments. I have received the chat content report from the meeting and will be attaching the questions verbatim as written, to the staff report. Everything that was asked or comments made in the Q&A will be available for Council and the public to view.

I will forward your comments to Transportation Planning so that they are aware of the issues related to Fifty Point Conservation area.

Any transportation network upgrades (sidewalks, etc.) that are required as a result of developing 1400 Baseline Road are at the developers expense. At a minimum, the future developer will be required to install sidewalks along the full length of the property.

Regarding the sale of the property, proceeds will go towards affordable housing initiatives in the City as well as local transportation improvements in the fifty Point Neighbourhood.

Thank you,

Alissa

**Alissa Mahood, MCIP, RPP**

Senior Project Manager - Community Planning & GIS

Planning and Economic Development

Planning City of Hamilton

(905) 546-2424 Ext. 1250

**NOTE:** All City of Hamilton offices and facilities have been closed to the public to help prevent the possible spread of the Covid-19 virus. Planning staff will continue to serve the community over the phone or by email. However, staff are working from home as a precautionary measure to protect both the public and staff. Staff will endeavour to reply to emails as soon as possible. Learn more about the City's response to COVID-19 at [www.hamilton.ca/coronavirus](http://www.hamilton.ca/coronavirus)

[REDACTED]  
**Sent:** March 20, 2021 4:41 PM

**To:** Mahood, Alissa <[Alissa.Mahood@hamilton.ca](mailto:Alissa.Mahood@hamilton.ca)>; DL - Council Only  
<[dlcouncilonly@hamilton.ca](mailto:dlcouncilonly@hamilton.ca)>

**Subject:** 1400 Baseline Road Let's Talk Meeting March 18th 2020

Hi Alissa,

Thank you for taking the time to participate in the Let's Talk meeting on Thursday night. I would also like to thank you for the way you professionally and intellectually answered the questions that were relayed to you by the mediator.

I have to say, I was extremely disappointed in the format of the "Let's Talk" meeting. Not only were the community members not given the opportunity to "talk" but the Q&A text box was limited to a very small amount of text which severely crippled the community members ability to provide factual and statistical data to relate to a question or comment. For example, I had prepared two topics in advance for the meeting as did a number of other community members so we would not be presenting on the same topics and asking the same questions. I had to copy and paste a few sentences at a time which led to the mediator missing 90% of my posts and only reading a few blurbs of the entire post. This led to the small blurbs being completely out of context when she relayed them to you. It was also evident that the questions/comments/topics that were read out to you by the mediator were hand selected as there were a number of questions/comments/topics (professional and respectable) that were prepared in advance by other community members that were completely ignored. I can assume these will be emailed to you and the city prior to April 1<sup>st</sup> as requested, if they have not been already. It was very unfortunate and disappointing that the community members came prepared to have a meeting and discuss the city Initiative CI-20-A zoning reclassification of 1400 Baseline Road, and to be honest this "Let's Talk" meeting was completely one sided and unfortunately a complete waste of our time. This point is not directed towards you personally and I mean no disrespect to you in any way. As I had stated above I appreciated how you conducted yourself at the meeting, I am only giving my opinion as a member of the community attending this meeting and how the meeting was conducted.

For the record- The two topics I was trying to post to the chat box at the meeting are listed below and I would appreciate your feedback.

#1:

Through data collected by 50 Point Conservation Area, the park saw roughly 187,000 visitors in 2019 and 184,000 in 2020. It was confirmed that 90% of this activity takes place during 6 months of the year. Please note that the data provided includes all visitor vehicles (large loaded vehicles, trucks towing boats large enough to be suitable for Lake Ontario waters, camper vans, RV's, and day trip vehicles). The list also includes park members but only park members who purchased their pass directly from 50 Point Conservation, any members who purchased a pass from the conservation authority online or elsewhere are not included in the data. Walk in visitors counted for roughly .002% in 2019 and roughly .003% in 2020. As a side note, there is a lot of pedestrian traffic on Baseline Road and it is very busy with people walking/jogging/biking on the street (for leisure, to gain access to the park, as well as going to the plaza at Lockport Way). People who walk into the park do not need



to swipe their pass so their data is not collected.

Knowing that 90 % of this activity happens during 6 months of the year, we had an average of roughly 28,000 extra vehicles on Baseline Road in 2019 per month and an extra roughly 27,600 extra vehicles on Baseline Road in 2020 for the purpose of entering 50 Point Conservation alone. Baseline Road is a local road with a design capacity to carry low traffic flow.

This community area (Baseline Road/Lockport Way being the only entrance to the community) is already overwhelmed with everyday local traffic (in the offseason of the park). With the added amount of traffic to 50 Point Conservation, the volume is significantly high on Baseline Road/Lockport Way compared to other areas in the city. Why is higher density construction suitable here rather than in other areas in the city where larger loaded vehicles going to conservation areas are not present?

The constant flow of vehicles also has an impact on public safety in the area and intensification with higher density development would not have a positive impact on the current public safety on Baseline Road. Baseline Road is barely a two lane street as it is and when people are walking, jogging etc on the street which is all the time, it turns Baseline Road into a one lane road. Also on the point of public safety- A 50 Point Conservation employee was struck and injured by a vehicle last year on Baseline Road while trying to direct the chaotic traffic.

Are you aware of how overwhelmed Baseline Road and Lockport Way currently are? A traffic impact study should be done, and it should be done when we have an extra roughly 28,000 vehicles a month on Baseline Road. (Typically the summer months would be included in the 6 months of the year that 90% of the activity at 50 point occurs).

#2:

1400 Baseline Road is within such close proximity to 50 Point Conservation (680ft or .02KM to the gate house driveway entrance and exit) which is well known to be the home to a vast variety of bird species including a large number of migratory bird species. After having many conversations with the experts at the Hamilton Naturalists Club and others, I would like to know why the City has not evaluated the impact a high-rise build will have in an area that is considered an important Bird Area because of its global significance as one of the premier spots in Ontario to see an amazing array of birds species.

In addition to the topics listed above, It has been mentioned on a number of different occasions by the City staff and in a number of different news outlets that the City “hopes” to receive 3 million dollars for the sale of the land at 1400 Baseline Road and that the proceeds would be used to fund affordable housing elsewhere in the city. You had also mentioned in the meeting on Thursday that the proceeds from the sale would be used to fund affordable housing elsewhere in the city.

Having said that, there is a lot of contradicting information being given out by city staff members. The panel member representing transportation at the meeting on Thursday (Jeff) mentioned a number of infrastructural items that would likely need to be completed, items such as traffic lights, sidewalks and traffic calming measures to list a few. You also touched on a number of infrastructural items during the meeting. The email response sent from Maria Pearson to a handful of community members (including myself), in regards to the City

Initiative CI-20-A zoning reclassification of 1400 Baseline Road stated:

“I have received several inquiries and concerns regarding traffic, sidewalks, lighting etc in your neighbourhood since being elected and want to move forward with many traffic calming initiatives in the Fifty Road and Baseline Road areas. At this time I have no pot of money to pull from to enable such projects to go forward. I am hoping the sale of 1400 Baseline Road will give me the necessary funds to pursue installation of signalization, sidewalks and lighting on the overpasses (where we can as the Province controls the bridges). I am confident such initiatives will certainly make your neighbourhood safer, especially for residents wishing to ride a bicycle or push a stroller to Costco.”

The amount of infrastructural work that needs to go into the immediate area surrounding 1400 Baseline Road in order to make this site workable or suitable for the proposed increase in intensification and rezoning from low density to medium density would be astronomical. To use the examples that yourself, Jeff and Maria have used; traffic lights, sidewalks, traffic calming measures, just to list a few. This infrastructural work alone would cost well north of 3 Million Dollars.

My question is, which one is it? Infrastructure or affordable housing? The sale of the land will not produce the amount of money needed to fund both affordable housing elsewhere in the city as well as fund the needed infrastructural work that would need to be completed in order for this site to be suitable and safe for the proposed increase in intensification.

Thank you for your time and I would appreciate your feedback.

Sincerely,



**From:** [REDACTED]  
**Cc:** [Pearson, Maria](#)  
**Subject:** Request Delay Public Information Meeting Re: 1400 Baseline Road CI-20-A  
**Date:** February 24, 2021 1:04:39 PM

---

Good Day Alissa;

Over the past couple of weeks I have received numerous emails, messages and notes attached to my door, from the residents in our neighbourhood expressing their concerns with the format and timing of the upcoming public information meeting. There are a number of elderly who do not own computers or who aren't tech savvy enough to participate in a virtual meeting. There are those who are concerned that the meeting will be scheduled on a weekday afternoon, thus precluding people who work from participating. Finally, others have expressed their concern with mid-March falling during Spring Break; and while the holiday has been postponed, people have planned trips.

We, the community, are requesting the meeting be delayed to early **May**, when hopefully at such time we will again be allowed to attend an in-person meeting, (with masks and distancing) at the **Winona Community Centre**. We would also like the meeting to be held on a **Saturday** to afford those who work during the week the opportunity to attend.

Since 'resetting the clock' on this initiative has occurred, the energy and commitment in the community has further intensified. People want to participate and be heard by our elected officials, and feel a virtual meeting in two weeks will not afford many the opportunity. The world is slowly opening up and in-person meetings will soon be a reality again. Let's wait till May and hold the meeting then.

Sincerely;

The Community bordering 1400 Baseline Road.

**From:** [REDACTED]  
**To:** [Mahood, Alissa](#)  
**Subject:** Rezoning at 1400 Baseline Rd  
**Date:** March 26, 2021 10:01:53 AM

---

Hello Alissa

The article in this week's Stoney Creek News about the captioned topic said to send concerns/comments to you by April 1st. I want to add my opposition on the rezoning issue.

I live in the 50 Point community and concur with the concerns raised in the newspaper article about the rezoning of 1400 Baseline Rd. The traffic along Baseline Rd, especially in the summer, is already at troublesome levels in my opinion. Add to this that there is a day care in the 50 Point plaza at the corner of Baseline and Lockport, as well as a Dentist, a walk-in clinic, among other businesses, only adds to the existing traffic issues in this somewhat confined area..

I strongly disagree with rezoning the said piece of land to accommodate a structure of 9 stories.

Notwithstanding the pending traffic issues rezoning will create, as well as any potential environmental issues already raised, simply from a visual pleasing point of view, if you drive about 2 km east along the North Service Rd from 1400 Baseline issue you will see two 9+ story apartment buildings that don't match the other homes in the immediate area. This 9 + story structure is, to be blunt, an ugly eye-sore.

To allow a developer to construct a 9 story structure at 1400 Baseline is simply shameful. If this piece of land is to be developed, at least maintain the same townhouse format that already exists beside this property.

[REDACTED]

**From:** [REDACTED]  
**To:** [Mahood, Alissa; DL - Council Only](#)  
**Cc:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Ward 10 - Initiative CI-20-A Zoning Reclassification 1400 Baseline Road  
**Date:** March 23, 2021 1:14:19 PM

---

Dear Allisa;

The following are the questions and statements we wish to put forward for the record as a result of the Let's Talk Meeting.

**Clr Pearson's form email to the community:**

Clr Pearson, you referenced a pot of money and a desire to address our concerns regarding traffic, sidewalks and lighting in the Fifty Road/North Service Road/Baseline Road areas then implied that the sale of the 1400 Baseline property would give you the funds to pursue signalization, sidewalks and lighting on the overpass.

- There already is lighting on the Fifty Road overpass... Is it not true that HOW the money will be spent has already been decided by Council some time ago? You have previously stated affordable housing in the news.
- Is it also not true that the sale of this land and how the money is spent has absolutely ZERO significance or impact to the rezoning to allow a 9 storey building?
- Is it not true that there already is \$350,000 earmarked for signalization at North Service/Fifty Road, \$90,000 of which came from our property taxes in 2018/2019? Why hasn't this work been done if the funds are sitting in an account?
- Lastly, there is an additional \$1.5 million sitting in the city's reserve funds for traffic projects on Fifty Road. Would you have us believe that you HAVE to rezone 1400 Baseline to allow 9 stories in order for our area to get traffic calming?

I, and many of my neighbours have been writing to you for years about the traffic issues in our area and you have never bothered to respond. It's rather suspect that you are now linking the two issues, especially when you have said that you don't believe in speed bumps and it's your opinion traffic calming is dangerous and creates road rage.

**Trans Cab Service:**

**1400 Baseline - A remnant stock of vacant land in a sea of low density car dependent lands in a Transcab area. The dependency on a vehicle will not change.**

Efficiency

Cost

- Cost to city \$20 to HSR per rider per round trip
- The higher the volume of users the higher the cost to the city
- Cost to rider \$0.50 per one way trip an increase of up to 24% per standard fare
- Cost to residential property taxes 0.028% tax rate amounts to ~ \$100 for an average house value \$600,000

Effectiveness

Travel time

- Adds 4 to 6 hrs of travel time for user
- Leaving from home
  - It can take up to 1 hour for cab to pick up rider
  - Jones Rd bus runs at 30 minute intervals
- Leaving from Eastgate

Trans cab often waits at Jones Rd for multiple riders, this means waiting 30 minutes for next bus

Service is unreliable for working people, decision to be made, go early to make sure trans cab inefficiencies is built into travel time – the need to make that kind of decision leads to the conclusion that Trans Cab does not provide a fair service never mind a good service

What is the required number of ridership needed to improve the efficiency and effectiveness of the Trans Cab system? Is this a known number?

It is too late to infill with higher “transit supportive” densities in this neighbourhood

The best use, and most sustainable use of this “end of stock” land is to:

1. Leave it low density in order to ensure the least amount of vehicles will be added to those local roads.
2. that the least amount of residents use Transcab to keep city costs down.

An apartment style housing will increase the volume of vehicle traffic in the immediate area. It is known or ought to be known that the TransCab service is not reliable in a timely fashion, meaning it is not a reliable service to be dependent on to get to work each day.. Therefore the TransCab will continue to be underutilized having an effect on higher volumes of vehicles in the immediate area.

How is the city planning on addressing this increase of vehicle traffic?

### **Holding Provision and Lack of Studies:**

Council has approved the increased density with a ‘holding provision’ that requires traffic, servicing and infrastructure studies to be done BEFORE the site is developed. The developer who purchases the land will have to pay for these studies.

What if the studies show the site is not feasible for a higher density?

Is Council going to ignore the studies and let the higher density build happen anyway?

Will Council Not approve the higher density build thus resulting in the developer launching a lawsuit against the City for zoning misdirection and costs of the studies?

The City’s costs would be borne by taxpayers when it was the City’s responsibility to have done the studies before the rezoning in the first place.

What the Council have done instead, is approve the rezoning to a higher density without doing any studies or tests to make sure it’s feasible.

### **Higher Density Builds Clr Pearson DID NOT support:**

**Councillor Pearson – you didn’t support a 9 storey at the corner of King St & Hwy 8 in 2016, beside a 7 storey & with 2 transit rtes, so why are you supporting this 9 storey?**

**Councillor Pearson – you didn't support a 9 storey at the corner of James St N and Burlington St, adjacent to a 6 storey downtown, so why are you supporting this 9 storey?**

**Councillor Pearson – you didn't support a 9 storey at the corner of Stonechurch and West 5<sup>th</sup>, within walking distance to Mohawk College & the A-line bus rte, so why are you supporting this 9 storey?**

**Councillor Pearson – you didn't support a 4 storey on King St E in your Ward 10 and worked with the residents, Staff & City Council, to reach a settlement to reduce the build down to 3 storeys with setbacks of 33 ms from existing properties, so why haven't you worked with us to try to reach a mutually agreeable settlement? Is it because only 14% of us voted for you in the last election or is it because you, like Staff, have to adhere to Council's direction in that May 2019 Motion?**

**Do Staff believe this file is 'LPAT ready', when no studies have been completed to demonstrate conformity has been achieved to our Official Plan policies and the city's recent history is to deny 9 stories in areas with more existing infrastructure than what this one will have?**

**Regards;**

[Redacted signature line]

[Redacted contact information]



**February 8, 2021**

Andrea Holland, Clerk  
City of Hamilton  
71 Main St. W.,  
Hamilton, ON

VIA EMAIL ONLY

Dear Ms. Holland:

**RE: 1400 Baseline Road, Former City of Stoney Creek  
Official Plan Amendment 144 and Proposed Rezoning  
Bills 17 and 18, City Council Agenda, February 10, 2021**

NPG Planning Solutions Inc. has been retained by Wentworth Common Element Condominium #479 and Lakewood Beach Community Council Inc. in regard to the above matters for 1400 Baseline Road, former City of Stoney Creek, now Hamilton. In accordance with Sections 17 and 34 of the Planning Act, we are providing these formal written comments to City Council prior to the adoption of the Official Plan Amendment by By-law and prior to the adoption of the Zoning By-law Amendment for the subject lands.

The proposed Official Plan Amendment (OPA) and Rezoning for the subject lands are to achieve the following:

- a. OPA – to amend the Secondary Plan to expand the range of permitted dwelling types (townhouses, maisonettes, apartments) on site. Currently only Low-Density Residential uses are permitted. The new designation would permit townhouses, maisonettes and apartments to a maximum height of 9 storeys. A redesignation to Medium Density Residential 3 for the subject lands is also part of the Official Plan Amendment.
- b. Rezoning – to create a site-specific zoning designation to implement the range of permitted uses with site specific provisions. The zoning includes a holding provision for:
  - a. Water/Wastewater Servicing Analysis
  - b. Traffic Impact Study



c. Funding of Works

As part of this City initiated OPA/Rezoning, the following is noted from the staff report considered on January 12, 2021:

- A Functional Servicing Report was not done
- A Stormwater Management Study was not done
- A Traffic Impact Study was not done
- A Noise Study was not done
- An Archaeology Study was not done
- The City did a “massing” study which formed the basis of the zoning regulations however this was not included as part of the staff report, although it was referenced in the staff report.

The determination of several factors related to the ultimate development of the site must be assessed through the completion of the appropriate studies as identified above. This includes servicing, for which internal staff comments raise issues, as well as traffic, noise and more. Every private sector proponent would be required to complete a pre-consultation with the City to identify the necessary studies and only once those studies have been completed would a detailed design for the site be able to be confirmed. Review by internal staff, agencies, and a public process would follow. This did not happen with proposed OPA 144 and the proposed Rezoning – an internal circulation occurred, an unreleased massing study was prepared, and the resultant OPA and rezoning, absent the key studies, was prepared.

The staff report recommends supporting the Official Plan Amendment and rezoning with the resulting By-laws on the Council agenda this Wednesday. It is incumbent upon the City to establish that the proposal fulfills the requirements of the Provincial Policy Statement, A Place to Grow (Growth Plan for the Greater Golden Horseshoe), and the City's Official Plan.

The staff report for the subject lands identifies the residential intensification requirements of the City's Official Plan and the policy “tests” to assess conformity. These have been reviewed and the following are the policies and the review that I have completed.

Policy # and Wording	Achieved/Not Achieved
<b>B.2.4.1.4 Residential intensification</b> developments shall be evaluated based on the following criteria:	
a) a balanced evaluation of the criteria in b) through g), as follows;	Not Achieved – see commentary
b) The relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable patterns and built forms;	Not Achieved/Can't Say – Because the massing study was not released, it is difficult to say. Issues such as height, location of buildings, location of driveways, sun shadow analysis, built form relationships are not communicated.
c) The development's contribution to maintaining and achieving a range of dwelling types and tenures;	Yes
d) The <i>compatible</i> integration of the development with the surrounding area in terms of use, scale, form, and character. In this regard, the City encourages the use of innovative and creative urban design techniques;	Not Achieved/Can't Say – see item b) commentary above
e) The development's contribution to achieving the planned urban structure, as described in Section E.2.0 – Urban Structure;	Likely
f) Infrastructure and transportation capacity; and,	No – there are no servicing studies to be done for water/wastewater; stormwater; transportation.
g) The ability of the development to comply with all applicable policies.	No

And further:

Policy # and Wording	Achieved/Not Achieved
<b>B.2.4.2.2</b> a) The matters listed in Section B.2.4.1.4;	Not Achieved – see above table

Policy # and Wording	Achieved/Not Achieved
b) Compatibility with adjacent land uses, including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;	Not Achieved – no studies completed to determine if these issues have been addressed
c) The relationship of the proposed buildings with the height, massing, and scale of nearby residential buildings;	Not Achieved/Can't Say – Because the massing study was not released, it is difficult to say. Issues such as height, location of buildings, location of driveways, sun shadow analysis, built form relationships are not communicated nor is an assessment provided of how these policy requirements are addressed.
d) The consideration of transitions in height and density to adjacent residential buildings;	Cannot be determined – the proposed zoning does include setbacks for the properties to the east however without seeing actual building placement it cannot be confirmed.
e) The relationship of the proposed lot with the lot pattern and configuration within the neighbourhood;	Not Achieved/Can't Say – see item d) commentary above
f) The provision of amenity space and the relationship to existing patterns of private and public amenity space;	Can't Say – without a site layout it is difficult to determine how pedestrian and cycling access will be provided to Fifty Point Conservation Area.
g) The ability to respect or enhance the streetscape patterns, including block lengths, setbacks, and building separations;	Not Achieved/Can't Say – see item d) commentary above
h) The ability to complement the existing functions of the neighbourhood;	No
i) The conservation of cultural heritage resources; and,	Not Achieved – the lands are within an area of Archaeological Potential on Schedule F-4 of the Urban Hamilton Official Plan. No study was done.
j) Infrastructure and transportation capacity impacts.	No

The staff report has identified that the proposal is in conformity with the Provincial Policy Statement and A Place to Grow. The above policies in the City's Official Plan are the foundational policies that determine the appropriateness of residential intensification on the subject lands and implement the intensification requirements of the Provincial Policy Statement and A Place to Grow. With so much information yet to be completed, the principal of increasing height and density on the subject lands cannot be confirmed. Put another way, without understanding issues of density, massing, servicing, traffic and transportation, compatibility (and more, as identified above) and how these issues are addressed in the Official Plan Amendment and Zoning By-law, the policy and zoning provisions should not be adopted. The City's OPA and rezoning have not met the requirements of its own Official Plan for assessing intensification proposals.

With regard to the Provincial Policy Statement (PPS), the City staff report has identified conformity to the PPS. The PPS requires the following:

"1.1.3.2

Land use patterns within settlement areas shall be based on:

- a. densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3

Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4

Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. “

The foregoing policies require intensification to be completed taking into account planned infrastructure; address transportation, traffic and active transportation; appropriate development standards; and more. The City's report identifies that assessment of infrastructure, transportation, noise, parking, and active transportation will be assessed through a future Site Plan. Respectfully, this is not consistent with the PPS which requires that these assessments be completed for all decisions under the *Planning Act*. Similarly, with regard to A Place to Grow, the lack of a fulsome review of infrastructure, transportation, active transportation, and the massing study not being released for public comment, conformity to the policies for the Delineated Built-Up Area and more broadly A Place to Grow cannot be confirmed.

The City has initiated this Official Plan Amendment under Section 17 of the *Planning Act* and the rezoning is under Section 34 of the *Planning Act*. The process is outlined in the Act for obtaining public feedback and the City has further established processes including notification, signage on the site, and public meetings. Questions have arisen regarding notification and the public participation process. Our clients remain concerned that the notification provisions were insufficient for affected landowners and organizations to provide input through the statutory process.

This letter is submitted for Council's consideration in regard to the two bills on the February 10, 2021 Council Agenda. The bills should be deferred until a proper consultation process has been completed, the required studies completed, and a



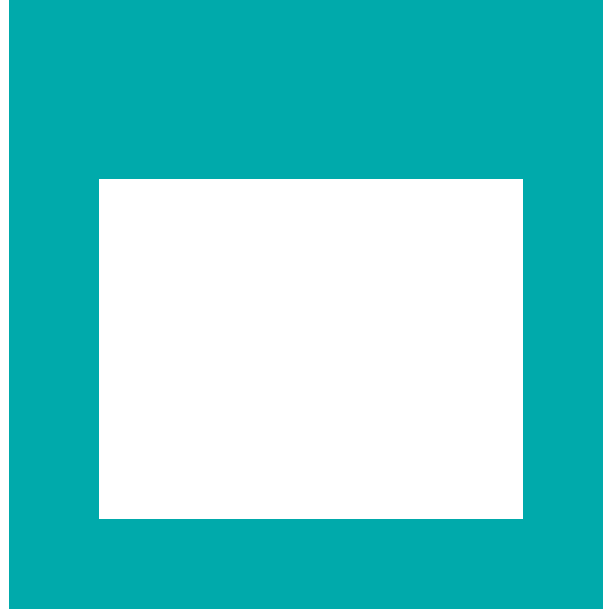
thorough analysis of the implications of the studies and a refined site design is completed. Our clients are available to meet with the City; however, the necessary work must be done to substantiate the principal of Medium Density Residential development on this site together with fulsome community engagement.

Yours truly,

A handwritten signature in black ink that reads "Mary Lou Tanner".

Mary Lou Tanner, FCIP, RPP  
Principal Planner and Partner

Copies to Clients



## PED20002(a)– (CI-20-A)

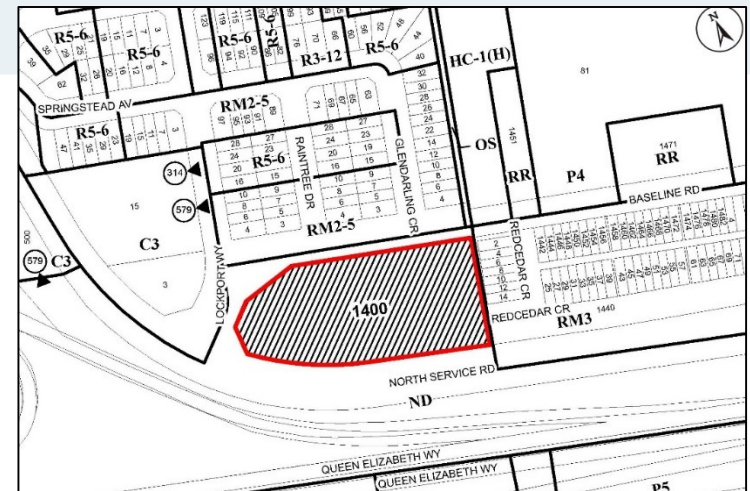
City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek (Ward 10)

Presented by: Alissa Mahood

February 1, 2022

# SITE DETAILS

Owner	City of Hamilton
Size	1.17 ha
Services	Existing municipal
Existing use	Vacant
Existing Official Plan and Designation	Low Density Residential 2b (Urban Lakeshore Area Secondary Plan – Urban Hamilton Official Plan)
Existing Zoning	Neighbourhood Development (ND) Zone By-law 3692-92 (Stoney Creek)







Fifty Point Market (Commercial Plaza)



Stoney Creek Child Care Centre



1400

SUBJECT PROPERTY



1400 Baseline Road, Stoney Creek





Subject Property photo taken from Baseline Road looking south

Subject Property photo taken from corner of Lockport Way and Baseline Road



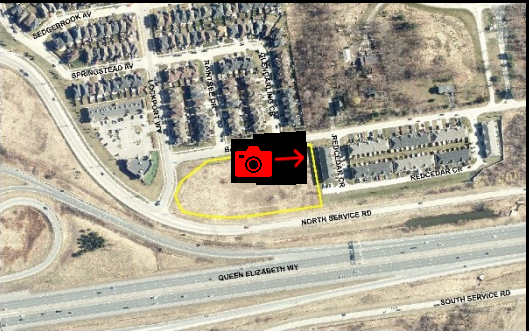


Baseline Road Looking North



Baseline Road Looking North





Property to the east

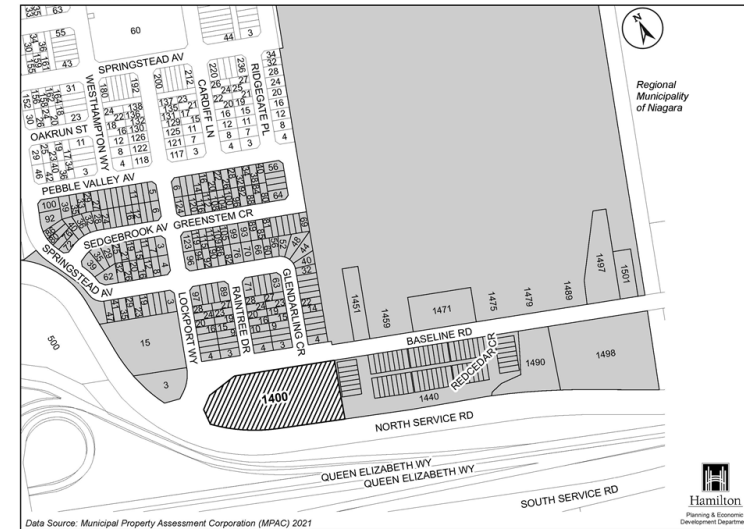




Commercial plaza to the west

# HISTORY

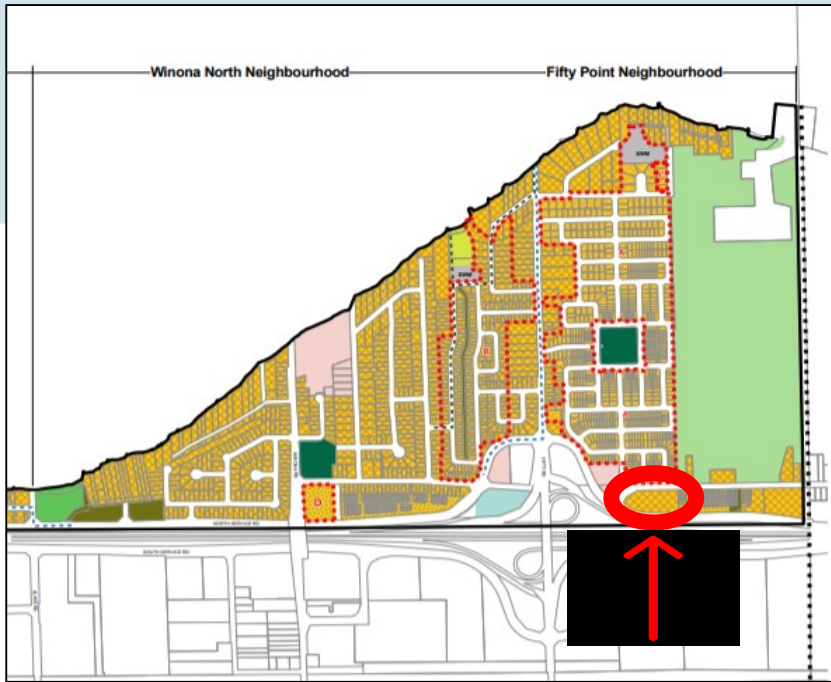
- **May 14, 2019** – City Council Motion – directs staff to update the land use and zoning for the property to reflect the highest and best use of the lands.
- **January 12, 2021** Statutory Public Meeting (PED20002)  
Council Motion:
  - Defer the amendments to a future planning committee meeting
  - Staff directed to schedule a neighbourhood meeting
  - Enhanced public notice process (sign posting, meeting notice mail out, newspaper ads, emails)
- **March 18, 2021**, Virtual Neighbourhood Meeting
  - 77 registered, 59 participated



### EXISTING OFFICIAL PLAN DESIGNATION

#### Low Density Residential 2b

- Single, semi-detached, duplex dwellings
- 1 to 29 units per net residential hectare
- 3 storeys in height



### PROPOSED OFFICIAL PLAN AMENDMENT

#### Medium Density Residential 3

- Apartment dwellings up to 9 storeys in height
- 50 to 99 units per net residential hectare

#### Site Specific Policy Area "X"

- All forms of multiple dwellings
- City may request studies to demonstrate there are no adverse impacts from a multiple dwelling



# PROPOSED ZONING BY-LAW AMENDMENT

## Stoney Creek Zoning By-law No. 3692-92

### EXISTING ZONING

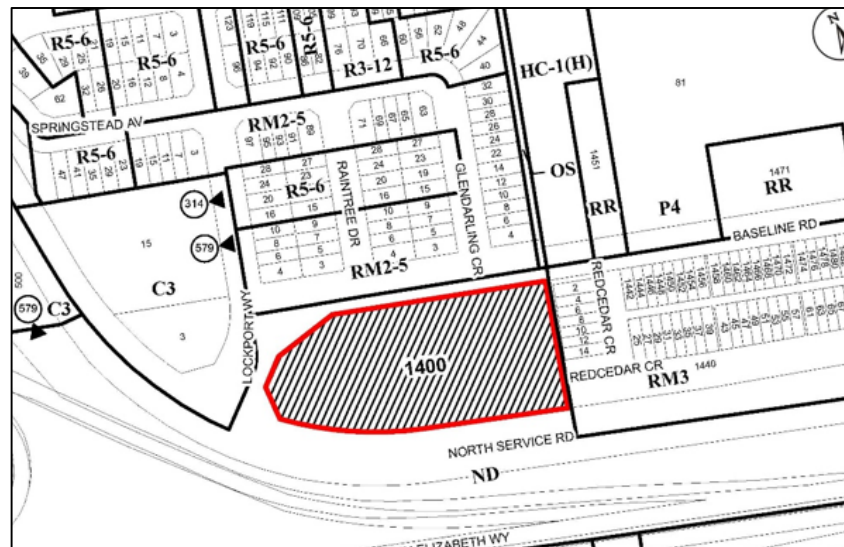
#### Neighbourhood Development (ND) Zone

Uses that existed on the date of passing of the Zoning By-law

### PROPOSED ZONING BY-LAW AMENDMENT

#### Multiple Residential (RM3) Zone, Modified, Holding

- 50 to 99 units per hectare
- Maisonettes, Townhouses, Apartment Dwellings, Dwelling Groups, Home Occupation, Accessory Uses
- Height: 33 m (9 storeys) max.





USE	REGULATIONS
-----	-------------

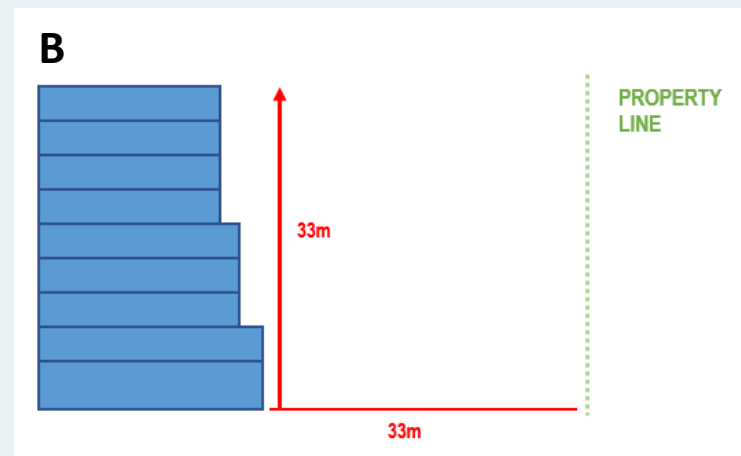
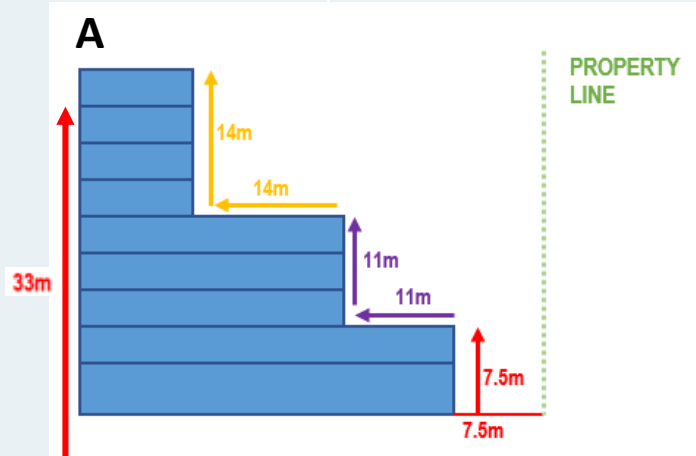
**Townhouses, Maisonettes**

**Maximum Building Height:** 11 metres (3 storeys)  
**Minimum Setbacks from Front (Baseline) and Side Yard:** 7.5 metres  
**Minimum Setback from Rear Yard (North Service Rd.):** 14 metres (MTO requirement) *\* applies to all development on this site including apartments.*  
**Minimum Side Yard Setback for an Apartment:** 30.0 metres side yard setback (from the existing residential property on Redcedar Crescent)

**Apartment Buildings**

**Maximum Building Height:** 33 metres (9 storeys) under the following:

- Minimum 7.5 metres setback for the portion of the building along a front (Baseline) or flankage lot line (Lockport) lot line;
- Height can increase only equal to the increase in the setback from the front and side lot line (to a maximum height of 33 metres)



**Parking Regulations**

Section 6.10.5, Parking Regulations of the Multiple Residential Zone of the Stoney Creek Zoning By-law has been applied to the property whereas previously Zoning By-law 05-200 parking regulations were proposed

# PROPOSED ZONING- HOLDING PROVISION

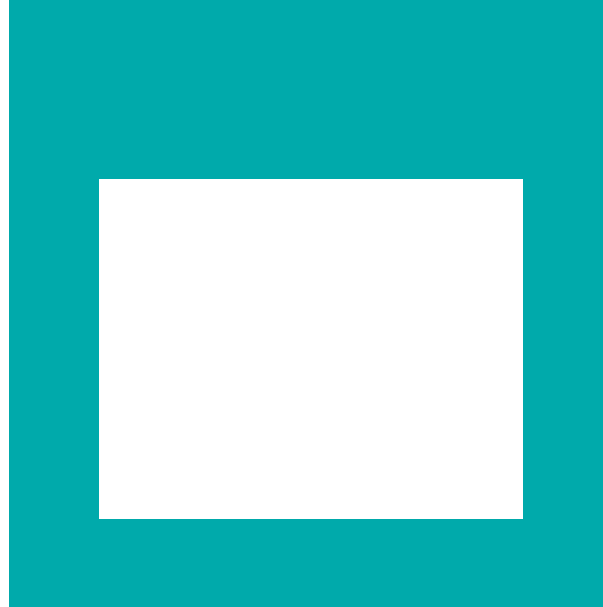
## HOLDING PROVISION CONDITIONS

<p><del><b>Functional Servicing Report (FSR)</b></del></p>	<p><del>An FSR must be submitted to identify if any infrastructure upgrades for water and sanitary services are required to support the development (all upgrades required are at the developers expense).</del></p>
<p><b>Traffic Impact Study (TIS)</b></p>	<p>A TIS must be submitted and to identify if improvements required to the transportation network as a result of the development (at the cost of the developer).</p>
<p><b>Archaeological Assessment</b></p>	<p>An Archaeological assessment must be carried out of the subject property and mitigate, through preservation or resource removal and documentation of significant archeological resources.</p>
<p><b>Noise Study</b></p>	<p>An acoustical report is required to investigate noise levels on the site and determine noise control measures that may be required.</p>

## **RECOMMENDATION**

### **That the proposed Official Plan and Zoning by-law Amendments have merit and can be supported for the following reasons:**

- The amendments are consistent with the PPS (2020) and conform to the Growth Plan (2019, as amended);
- They comply with the general intent of the UHOP with regards to residential intensification and complete communities policies;
- The amendments are in keeping with the existing function of the Urban Lakeshore Secondary Plan.



# THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE

Tues. Jan 18 2022

City Councillors,

It has recently come to our neighbourhood's attention that the City of Hamilton is planning to develop the land located at 1400 Baseline Rd up to a maximum 9 storey and are strongly opposed to this decision for numerous reasons.

We disagree that this land should be developed as it is already riddled with high rise buildings that have ruined the landscape of the neighbourhood. Purchasing a property along the waterfront is meant exactly for that, to enjoy the waterfront and not have to look at these monstrosity of buildings. The infrastructure in terms of congested major arteries such as the QEW, North and South Service Roads, lack of traffic lights and sidewalks already cannot sustain the numerous condominium buildings that have been constructed, and that is prior to the development that is already approved and not yet completed in the area such as the Winona Crossing Shopping Centre.

Further examples of the congestion include exiting the highway at Fifty Road and making a left has become increasingly difficult due to being continuously backed up as a result of the increased traffic caused by the PenEquity development. In addition, it takes a substantial amount of time to even make the turn safely due to the sheer volume of cars trying to reach the same outcome. I am shocked that there haven't been any accidents there. Once you do manage to get onto Fifty Road, it is frequently backed up from the intersection of North Service Road all the way down to South Service Road. Another major dilemma is the location of the proposed development. In summer months due to its proximity to Fifty Point Conservation, traffic is at a stand still from the entrance of Fifty Point to Lockport Way. Not only is this frustrating to try to get to point A to B, but it is also unsafe as the area has a high volume of walkers and cyclists trying to navigate through the vehicles with no sidewalk. Constructing a yet ANOTHER up to 9 story building will only exacerbate the issues we are already faced with.

In closing, we ask that the land at 1400 Baseline Rd not be developed to the proposed density of 50-99 units per net hectare as the neighbourhood will be impacted negatively, especially those located on Raintree Drive where we are less than 150 meters away.

Thank you for your consideration,

Nada & Jonathan Barlow



## 1400 Word Bedtime Story about 1400 Baseline Road

Written by Viv Saunders

This is a story of a new world, one in which fairy-tale legends and modern life collide.

Once upon a time, in an area of the far reaches of the great City of Hamilton, there was a land-use planning change that was causing a great divide.

Many years ago, the people of Ontario owned 4 surplus lands along the Queen Elizabeth Way of Ward 10. The Knights of the Round Table purchased one of these plots for the people of Hamilton for \$1,000,000.

After trying to decide what to do with the land, the previous Knights of the Round Table determined they didn't need the lands after all and deemed the land surplus. They wished to sell it for a small profit at the time. But upon hearing they would have to give any profits back to the people of Ontario, they held on to this vacant remnant land until the 10-year contractual obligation expired.

In the interim, the people of Ontario amended the rules and now require 20 years. Fortunately for this Round Table though, this amendment did not apply to this land which was grandfathered by the rules at the time of purchase.

Once the 10-year contract did expire, the new Knights of the Round Table formally decided to sell the people's land.

"We need the money" they said.

"We need money for sidewalks, streetlights, affordable housing & other priorities", they say.

"We want to change the designation from a cap of 29 units per hectare to allow 99 units per hectare", they say. Even though the people who have bought into this low-density neighbourhood did so thinking a gathering spot of some sort would be built there long, long ago.

"We can house more people if we change the zoning to introduce a 9-storey apartment building" they say.

"We can introduce a 'more affordable' housing form into the neighbourhood" they say. Such as condo apartments that are predominantly high cost 2ndary market rentals along the lakeshore.

"We can sell the land for north of \$3,000,000" the Land Baron says and "any funds remaining after we put sidewalks, lights & other transportation infrastructure in, can be allocated to 'affordable housing'" the Magistrate said

"Noooo", the people impacted said. "We don't want you to spend our property taxes this way. We don't want you to sell our public lands in this fashion"

"We'd like you to address the Affordable Housing Crisis and we'd like you to develop our publicly owned land for housing", most of the people said

"We don't want an outlier high-rise building in a sea of low-rise buildings on this last remnant piece of car-dependent land", the people yelled.

"We will fight this", the people agreed. "We will take this to a higher court"



“Go ahead” said some of the Knights of the Round Table members. “We have made our decision and we have a pot of the people’s money that we will spend to fight you back” is what the people heard.

“But the process here doesn’t illustrate conformity to the Official Plan and other provincial regulations”, the people’s professional planner stated.

“There is significant delay & queuing forecasted on the Queen Elizabeth interchange ramps which results in safety concerns”, Sir Jeffery stated in regard to a development in the area.

As per the Ministry’s input, “The intersection of Fifty Road & South Service Road does not have the capacity to accommodate the proposed density” for that recently approved development, the people noted.

The people can see and read that: the Queuing available storage of 139m at the MTO controlled intersections QEW/Fifty Road has been substantially exceeded with the recent approval of another development. The TIS from that assessment indicates queuing of 149.3m, 182 metres and **as high as 229.6 metre queuing lengths** forecasted during peak hours for westbound vehicles during a.m.& pm weekdays as well as Saturday peak hours.

“Please explain to us how the Knights can consider adding to this obvious and mounting issue when the process is void of the required planning studies such as a Traffic Impact Study?”, the people asked.

“But wait”, said the Town Crier.

“A great deal has changed since the Knights of the Round Table first directed their subjects to divest this public land.

The pandemic hit and the people the Knights were elected to represent are wanting rooms for home office space.

The Growth Plan has changed. The Plan has put emphasis on ‘ground-oriented housing’ and has moved away from apartment condo style housing to meet the needs of population growth.

The Knights of the Round Table are wanting to develop lands within the urban boundary to meet the ‘ground-oriented housing’ targets.

Plus, the Knights of the Round Table just approved a higher density development in December which negatively impacts the safety of that transportation network as per comments in that file”

The Town Crier wants to know “Why can’t we look to other developments on the Mountain and down the line (1288 Baseline) and put together a collaborative plan?”

“Why can’t we zone for maisonettes and find a partner to build ‘attainable’ housing? ”, the Town Crier asked.

“What’s ‘attainable’ housing”, the Knights of the Round Table asked. To which the Town Crier answered, “Housing that would meet the Knights of the Round Table’s definition of ‘affordable’, and that are a mix of 80%/100%/125% market pricing or capped at 90% of market as we have done elsewhere”

“YES”, said Sir Micheal.

“Building maisonettes would positively impact assessment values & I estimate would generate ~ \$200,000 more per year in property tax revenue vs the proposed mixed towns/apartment development presented. A ‘maisonette’ plan could result in positive tax shifts for all the people of Hamilton lands for years to come. I think what the Town Crier is trying to say, is whether or not it is still the will of the Knights of the Round Table to take our lottery winnings now, in cash; or whether choosing a Cash for Life option might be a more financially prudent & sustainable course of action?”

‘YES”, said Sir Jason.

“A maisonette proposal will provide housing for approximately the same amount of people, 205 versus 217 people, & would be an option that is consistent with the new Growth Plan & Provincial Policy Statements”

“YES”, said Sir Stevan.

“The area is predominantly singles, semis, street and block townhomes. Introducing maissonettes is a housing form not found in the area & will meet the intent of the Official Plan policies in regard to infill developments in established neighbourhoods”

“YES”, said Sir Edward.

“A development that is pegged to CMHC market would be deemed Affordable Housing as per our city by-law. Knights of the Round Table has the opportunity to control the eventual build and insist upon housing that the present market demands & meets the needs of mid-income households”

‘YES”, said the Housing Crusaders.

“Adjusting the previous direction to align with today’s environment is the right thing to do. Changing the plan will avoid spending more taxpayer funded resources at the OLT & will result in avoiding delays of adding to the housing supply. We say Yes to a faster build”

“YES”, said the Protectionists.

“Removing the 9 storey high rise apartment building & allow mid-rise maisonettes is exactly the kind of development we are advocating for. Missing Middle Housing is a range of house-scale buildings with multiple units – compatible in scale and form with detached single family homes – located in walkable neighbourhoods. We support a higher density on these lands that fits the ‘missing middle’ housing form.

'YES', said Sir Raymond

"Knights of the Round Table could sell the land with a restrictive covenant or alternatively partner with a housing provider & structure a part cash/vendor take back mortgage that has interest accruing but not payable subject to 'more affordable' housing price point conditions."

'YES!', shouted the Knights of the Round Table unanimously.

"We need to pivot from our original plans. Much has changed! What the Town Crier is proposing is mutually agreeable to all the great people of our lands. It will be done. We will put the WIN back into Winona"

'HOORAY'!, shouted the people. "Let's put this to bed and get roofs over people's heads!"

*Okay, everybody quiet down now and get some sleep. Good night Mama. Good night John-Boy Good Night everybody*

And they all lived happily ever after.

(Hopefully) The End.

**From:** Heather Saltys  
**Sent:** Monday, January 24, 2022 9:45 AM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Re: 1400 Baseline Rd, Stoney Creek

I am writing in opposition of the building of 1400 Baseline Rd to allow for nine storeys and up to 99 units/ net hectare. This is a low density residential zone and should not be changed to a medium density residential area in order to build this property. The intersection is already very populated and busy and will cause much disturbance in the flow of traffic. The area also has many small children being dropped off by bus which already causes gridlock. This added high volume building would act to increase the traffic pressure in an already busy intersection.

I would also like to request a notice of decision regarding this matter. Thank-you,

Heather Saltys

**From:** Tammy Felts  
**Sent:** Sunday, January 23, 2022 10:57 PM  
**To:** DL - Council Only <[dlcouncilonly@hamilton.ca](mailto:dlcouncilonly@hamilton.ca)>; [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Initiative CI-20-A Zoning By-Law Amendment 1400 Baseline Road, Stoney Creek

To: Alissa Mahood and Council,

As you may recall, last January/February 2021 we undertook and submitted a Petition from the area residents opposing the Official Plan Amendment & Zoning By-law amendment for the city owned land located at 1400 Baseline Road. That previous petition included 62 signatures.

Subsequent to the Petition, a restart button was hit and the residents were provided with a virtual Neighbourhood Meeting which helped the residents learn more about the proposal. Thank you for hosting and conducting that meeting which was very well attended and included many questions. 77 residents registered for the Webinar held in March 2021 which had 59 participants.

In order to provide impartial feedback on the proposal to City Staff & Council, we just recently conducted a Survey of the area residents instead of another Petition. Petitions sometimes do not easily demonstrate whether or not a majority or minority of the citizens have voiced their position. Hence, we went to the property owners/occupants in the immediate vicinity and asked them if they were Opposed, Supportive or Neutral on the proposed amendment to include a higher height limit (specifically 9 storeys) as part of the potential build.

The Survey, complete with signatures and addresses and each person's selection is attached.

Please note:

85 citizens are opposed ( 23 more than a year ago)

0 citizens are supportive

1 citizen was neutral

As we have said many times, the majority of the residents are not opposed to a residential infill development at this location.

We also understand the need to increase the density and the height over what was originally planned for in our Secondary Plan.

As you can read in the Public Submissions in the file, attempts were made to engage and discuss alternative proposals that could potentially be a better use of the land, house the same amount of people, and could have resulted in a Staff Recommendation on February 1st that was mutually agreed upon. Sadly, it appears collaboration was not an option.

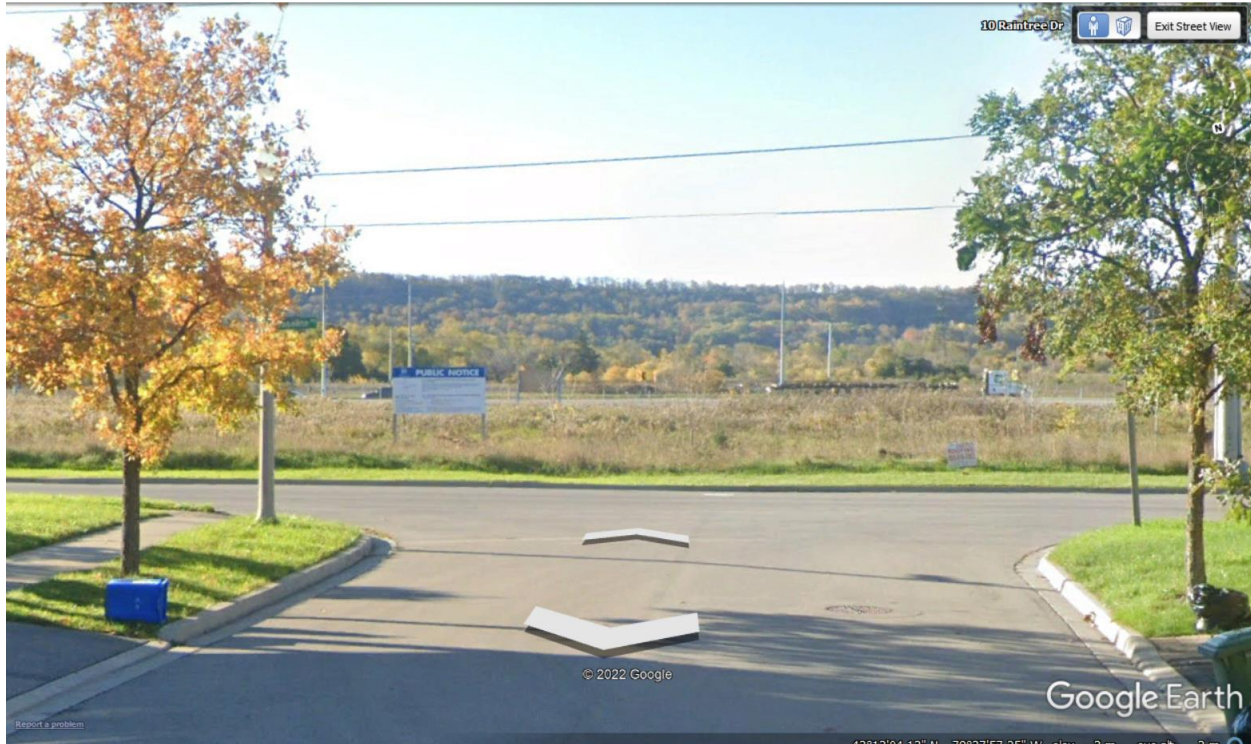
On behalf of the residents, we respectfully request that the Planning Committee deny the amendments.

Respectfully;

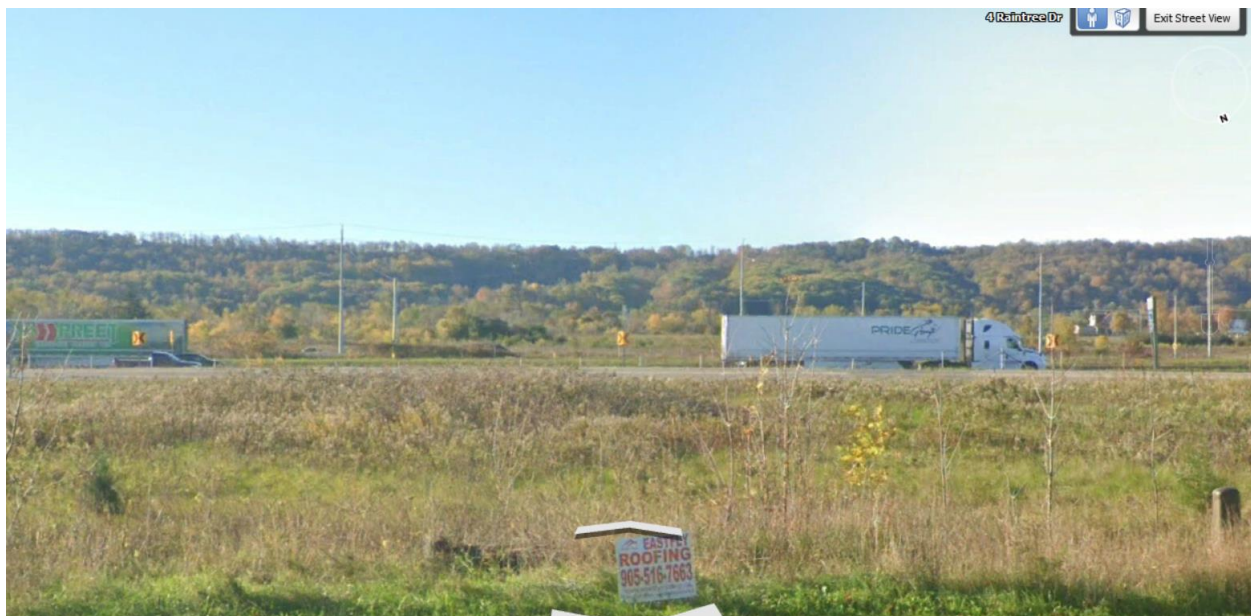
Tammy Felts, President WCECC #479

&

Residents of the adjacent communities.



View Looking South from Street (Raintree Drive)



View Looking South from Street (Baseline Road) and similar view from neighbourhood Veranda

January 2022

Dear Alissa & Council,

We live in a semi-detached home on Glendarling Crescent and Raintree Drive. Our home was built with a large 2<sup>nd</sup> storey veranda (pic below) which provides us with a view of the Niagara Escarpment. This veranda, and view it provides, is reflected in our property's assessment values as compared to our neighbours who do not have a Vista View Veranda. Those with a Vista View Veranda have assessment values which are on average, \$50,000 higher.

It is my understanding that significant Vistas for existing residential homeowners are to be considered when a development application is being considered. (UHOP Chapter B Residential Intensification in Neighbourhoods Designation, B.2.4.2.2 (b) )

I have not been provided with a Conceptual Plan / rendering / massing of the proposed development so I cannot provide concrete information in regard to whether or not a 33 metre high build will cause an 'unacceptable adverse impact' upon me as per what is deemed a conflict under the "Compatibility"\* considerations of our Official Plan.

It is however my strong opinion that the higher height proposed will block my view of this UNESCO World Biosphere Reserve & will negatively impact not only me personally as the existing homeowner but also all future occupants of this home. (Mental health)

In addition, the view will be blocked for those citizens who walk, roll & ride along Baseline Road. Whether this will occur at 11 metres, or 20 metres or 33 metres is unknown. The impacts on the public realm have not been adequately assessed in my opinion.

Considering the Views / Vista planning policies contained in our Urban Hamilton Official Plan (see below), I would like to request a Visual Impact Assessment be completed **prior to considering and/or approving increasing the height by 300% on this subject land.**

Deferring such a study to Site Plan stage, if that has even been contemplated, is unacceptable. Site Plan does not allow the height to be adjusted lower after rezoning. Site Plan Design policies do however protect & enhance the View for new occupants of 1400 Baseline Road in the design process of the eventual build. How can anyone consider that fair?





To be clear, I am not opposed to an infill development on this vacant land nor did I expect to retain this expansive view in perpetuity. I do however believe it is reasonable for me to be provided with enough information to generally understand to what extent the proposed amendment will result in adverse impacts

Respectfully,

Donald & Jessica Lindsay (3 Raintree Dr)  
 TERESITA J ROBERTO DE MARZO (5 RAIN TREE DR)  
 VIBHU SHARMA (4 RAIN TREE DRIVE)  
 P B O'Donnell 5 GLENDARLING CRES  
 Sarah Gault 4 GLENDARLING CRES.

*\*Compatibility is not 2 things being the same or similar. Compatibility is 2 things being in harmony & co-existing without conflict. The Ontario Land Tribunal turns upon the impact of a proposal on the character of the environment, both built & natural with regard for how the character is likely to evolve over the foreseeable future. A proposal should not cause unacceptable adverse impacts upon existing built & natural environment (inclusive of neighbourhood and adjacent lands) (Source: a December 2021 OLT Decision in regard to a 9 storey build in another area of Hamilton)*

the design and installation of appropriate gateway features.

### 3.3.5 Views and Vistas

Public views and vistas are significant visual compositions of important public and historic buildings, natural heritage and open space features, landmarks, and skylines which enhance the overall physical character of an area when viewed from the public realm. Vistas are generally panoramic in nature while views usually refer to a strong individual feature often framed by its surroundings.

## Chapter B – Communities

Views and vistas created in newly developing areas play a large role in creating a sense of place and neighbourhood identity.

Examples of existing significant vistas include the panorama of the Niagara Escarpment, Hamilton Harbour and the Downtown skyline as viewed from various vantage points throughout the City. Examples of views include significant historic and public buildings, natural heritage features, and monuments.

- 3.3.5.1 The City shall undertake a comprehensive study to identify significant views and vistas and recommend strategies for their protection and enhancement. In the absence of such a study, the identification, preservation, enhancement and/or creation of significant public views and vistas shall occur through secondary planning.
- 3.3.5.2 Views and vistas shall be achieved through alignment of rights-of-way, layout of pedestrian circulation and open space systems, and the siting of major features, public uses, and built form.
- 3.3.5.3 The principal façades of public buildings and parks are encouraged to locate at the termination of a street or view corridor or at street intersections to act as focal points for views except in situations where such building placement would compromise existing significant views or vistas.

**PLANNING COMMITTEE MEMBERS  
 WARD 10 INITIATIVE CI-20-A ZONING RECLASSIFICATION PROPOSAL  
 1400 BASELINE ROAD TO ACCOMMODATE A 9 STOREY APARTMENT BUILDING  
 WE THE UNDERSIGNED AS OF JANUARY 2022 ARE:**

NAME	ADDRESS	OPPOSED	SUPPORT	NEUTRAL
Kendall Murphy	[REDACTED]	✓		
Sacha Poshini	[REDACTED]	✓		
Narmi Menezes	[REDACTED]	✓		
Vince DeCorte	[REDACTED]	✓		
[REDACTED]	[REDACTED]	✓		
[REDACTED]	[REDACTED]	✓		
S. J. Smith	[REDACTED]	✓		
[REDACTED]	[REDACTED]	✓		
Maria Brown	[REDACTED]	✓		
Jeremy Pinard	[REDACTED]	✓		
Rebecca Kain	[REDACTED]	✓		
Grace MARPLE	[REDACTED]	✓		
[REDACTED]	[REDACTED]	✓		
Angela Macri	[REDACTED]	✓		
James Macri	[REDACTED]	✓		

15

6

**PLANNING COMMITTEE MEMBERS  
WARD 10 INITIATIVE CI-20-A ZONING RECLASSIFICATION PROPOSAL  
1400 BASELINE ROAD TO ACCOMMODATE A 9 STOREY APARTMENT BUILDING  
WE THE UNDERSIGNED AS OF JANUARY 2022 ARE:**

NAME	ADDRESS	OPPOSED	SUPPORT	NEUTRAL
R. Williams	[REDACTED]	<input checked="" type="checkbox"/>		
[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>		
[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>		
[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>		
Lynell	[REDACTED]	<input checked="" type="checkbox"/>		
[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>		
A. Mackenzie	[REDACTED]	<input checked="" type="checkbox"/>		
C. Ingham	[REDACTED]	<input checked="" type="checkbox"/>		
Sam [REDACTED]	[REDACTED]			<input checked="" type="checkbox"/>
Branden Howard	[REDACTED]	<input checked="" type="checkbox"/>		
Dhruv Patel	[REDACTED]	<input checked="" type="checkbox"/>		
Yuki Grant	[REDACTED]	<input checked="" type="checkbox"/>		
ZSOLT MOLNAR	[REDACTED]	<input checked="" type="checkbox"/>		
UDAY THAKUR	[REDACTED]	<input checked="" type="checkbox"/>		
Ryan Thomas	[REDACTED]	<input checked="" type="checkbox"/>		

NAME	ADDRESS	OPPOSED	SUPPORT	NEUTRAL
Christine Dibbit	[REDACTED]	✓		
JIVITESH CHAWLA	[REDACTED]	✓		
Pranav Kishad	[REDACTED]	✓		
Paula Pittin	[REDACTED]	✓		
Mike Brown	[REDACTED]	✓		
Kyle Bourdeau	[REDACTED]	✓		
Chris Berube	[REDACTED]	✓		
SEF MERRILL	[REDACTED]	✓		
Ashly McCook	[REDACTED]	✓		
Mike Glover	[REDACTED]	✓		
Kyle Harding	[REDACTED]	✓		
Karl Takir	[REDACTED]	✓		
Harold Young	[REDACTED]	✓		
Erin Lambert	[REDACTED]	✓		
Emma Sedler	[REDACTED]	✓		
Bill Young	[REDACTED]	✓		
Tammy FELB	[REDACTED]	✓		

17

18

**PLANNING COMMITTEE MEMBERS  
WARD 10 INITIATIVE CI-20-A ZONING RECLASSIFICATION PROPOSAL  
1400 BASELINE ROAD TO ACCOMMODATE A 9 STOREY APARTMENT BUILDING  
WE THE UNDERSIGNED AS OF JANUARY 2022 ARE:**

NAME	ADDRESS	OPPOSED	SUPPORT	NEUTRAL
Dianna Franic	[REDACTED]	✓		
Prachi Malankar	[REDACTED]	✓		
BLAKE JENSEN	[REDACTED]	✓		
Shirley Passfield	[REDACTED]	✓		
sandra Manzer	[REDACTED]	✓		
Sherry Cornin	[REDACTED]	✓		
Ralph Cornin	[REDACTED]	✓		
LOUISE DEZIER	[REDACTED]	✓		
GARY DEZIER	[REDACTED]	✓		
Matt Wroughtt	[REDACTED]	✓		
VIBHU	[REDACTED]	✓		
B. MULTANI	[REDACTED]	✓		
Dr. Jibhu	[REDACTED]			✓
L. MacMillan	[REDACTED]	✓		
B. Swthwell	[REDACTED]	✓		

15



NAME	ADDRESS	OPPOSED	SUPPORT	NEUTRAL
MARIE DUCIVCOLE	[REDACTED]	✓		
SABINE LEROUX	[REDACTED]	✓		
Jessica Lindsay POSTER	[REDACTED]	✓		
Shiva Kalyan	[REDACTED]	✓		
Raman V. Dora	[REDACTED]	✓		
Ranjit Singh	[REDACTED]	✓		
ALASTAIR CLARKE	[REDACTED]	✓		
Jennifer Kara	[REDACTED]	✓		
GITENDRE	[REDACTED]	✓		
MICHAEL GRAUJAN	[REDACTED]	✓		
SHAMSH JASA	[REDACTED]	✓		
Lucid De Simone	[REDACTED]	✓		
Rene De Simone	[REDACTED]	✓		
Priscilla Martin	[REDACTED]	✓		
ABRAHEEM RAZAK BEYL RAZAK	[REDACTED]	✓		
Joseph [unclear]	[REDACTED]	✓		



**PLANNING COMMITTEE MEMBERS  
 WARD 10 INITIATIVE CI-20-A ZONING RECLASSIFICATION PROPOSAL  
 1400 BASELINE ROAD TO ACCOMMODATE A 9 STOREY APARTMENT BUILDING  
 WE THE UNDERSIGNED AS OF JANUARY 2022 ARE:**

NAME	ADDRESS	OPPOSED	SUPPORT	NEUTRAL
Pamoz Wilson	[REDACTED]	✓		
JULIA YAKIMISUK	[REDACTED]	✓		
KEE YAKIMISUK	[REDACTED]	✓		
Steve Volfavitch	[REDACTED]	✓		
Lenna Damsuk	[REDACTED]	✓		
Moe Ghaderi	[REDACTED]	✓		
River Brasson	[REDACTED]	✓		
Rodrigo Pedroja	[REDACTED]	✓		
Maria Constantino	[REDACTED]	✓		
Patricia Macdonald	[REDACTED]	✓		
RITA CLAMPTON	[REDACTED]	✓		

11

NAME	ADDRESS	OPPOSED	SUPPORT	NEUTRAL
Edward Murphy	[REDACTED]	✓		
SEAN THOMPSON	[REDACTED]	✓		
Nick Velenci	[REDACTED]	✓		
Jordan SANDER	[REDACTED]	✓		
John Yon	[REDACTED]	✓		
Brianna Felts	[REDACTED]	✓		



From: Paddy Townson  
Sent: Tuesday, January 25, 2022 5:40 PM  
To: [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
Subject: 1400 Baseline Road, Stoney Creek

Zoning By-law amendment

To whom it may concern -

I am vehemently opposed to the change in by-law for the lot at 1400 Baseline Rd. A structure of 9 stories in this neighbourhood would not only be an eyesore and obstruct views of the escarpment, but cast shadows on neighbouring houses, and create extra traffic at an already busy and dangerous intersection. It is totally out of place and would end up looking like that disastrous mass of condos in Grimsby by the Casablanca. There is already talk of development on Vince Mazza Way opposite Costco. That surely is enough density to appease urban growth numbers.

I urge the Planning Committee to reject this change in the by-law .

Sincerely  
Patricia Townson

**Sent:** Thursday, January 27, 2022 11:54 AM

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

**Subject:** Comments/Questions for the February 1/2022 Meeting

Dear Sirs,

These are my comments and questions for the upcoming meeting scheduled for February 1, 2022 and, also, following up on what was discussed at the session held April 18, 2021.

1. What are or were the results of the traffic counts that were going to be conducted during the month of May 2021 and the subsequent 2021 summer months to assess the impact of the planned new construction on North Service Rd and Baseline Rd (2 lane roads)? Have any traffic calming measures or improvements been identified to resolve this problem?
2. What is the result and plans identified on the meetings that were supposed to take place between the City and the Ministry of Transportation to address QEW offramp problems?
3. Is this new construction going to be dedicated to social housing?
4. What are the results of the traffic counts that were going to be conducted by Transportation Planning to address the existing traffic issues at the corner of North Service Rd and 50 Road (2 lane roads)? Also, have the required traffic improvements to facilitate development of the site and to be paid by the developer been identified? Traffic issues at this intersection will be compounded once the construction taken place on at the corner of North Service Rd and Winona Rd is completed, thus it is important to know what corrective measures are being considered.
5. Traffic at the corner of Fruitland and North Service Rd (2 lane roads) is already quite complicated with the recent building of townhomes, thus, I suggest you and/or people from your division visit/analyze this place to see what the issues and dangers are. Further, the traffic lights installed have not addressed the issues with traffic during peak hours, on weekends and/or during the day for that matter. Furthermore, this problem or problems will be greatly compounded once construction of the adjacent building is completed.
6. There is new home construction under way between at the corner of North Service Rd and Winona – both 2 lane roads – and it seems that at least 50+ town homes will be built in this area, thus, this will significantly add to the traffic issues mentioned before.

Hopefully at the upcoming meeting we will hear of the corrective actions that are being planned to address the issues and problems mentioned above.

Best regards,

Miguel A Byrne

**From:** Sherry Corning  
**Sent:** Thursday, January 27, 2022 1:50 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** 1400 Baseline Road Amendment

Zoning By-law Amendment

Subject: 1400 baseline Road, Stoney Creek Property

By law No. 3692-92

File No. CI-20-A

Rezoning from Low Density "2b" to a Medium Density Residential "3" will negatively impact the surrounding neighborhood .

Safety, health and privacy are the issues.

Residential "3" housing will allow for more units resulting in more vehicles.

This will definitely add to the congestion of the existing narrow Baseline Road which flows out onto North Service Road.

More cars equal more pollution and less safety for the children and people living in this area.

There is an existing school bus stop on Baseline Road and Raintree and a daycare at the corner of Lockport Way and North Service Road.

Fifty Point Conservation and Marina is minutes away. People walking, jogging, biking on this narrow Baseline Road.

June 17<sup>th</sup> 2021, Stoney Creek News.

New Massive plan for Fifty Point Conservation area, a farm field east is to be developed

"We envision over the next 10 years this area is going to look very different, including nearby housing projects like a proposed 645 unit survey with 28 storey apartment tower."

All of this traffic will flow out onto the existing congested Baseline Road and North Service road.

"Population growth is rapidly transforming the area. The natural areas of the property are also an important refuge and habitat for migratory birds and other species being displaced by the surrounding developments"

Medium Density Residential "3" will permit the development multiple dwellings up to a maximum height of nine storeys and a density range of 50 to 99 unit/per hectare which will intrude on our personal(backyard) privacy.

Baseline Road will not be able to accommodate this enormous amount traffic due to the proposed development growth .

There is a need for single and semidetached housing in this area. Maybe bungalows for seniors or veterans. No basements, no stairs, no elevators.

There is an existing small plaza across the street on Lockport Way.

It includes a hair salon, walk-in clinic, pharmacy, dentist and a del.

This construction of low Density "2b" is the answer.

Regards

Sherry Corning

**From:** Nancy Hurst  
**Sent:** Friday, January 28, 2022 7:40 AM  
**To:** Kelsey, Lisa <Lisa.Kelsey@hamilton.ca>  
**Subject:** Respecting item 9.1 of the planning agenda for Feb 1, 2022.

<https://pub-hamilton.escribemeetings.com/Meeting.aspx?id=9a1a8521-7a0f-408d-8835-76b296e87bfe&Agenda=Agenda&lang=English&Item=17&Tab=attachments>

Hello Lisa,

Respecting item 9.1 of the planning agenda for Feb 1, 2022 for 1400 Baseline Rd., Stoney Creek, please add my letter below to the agenda.

Dear members of the planning committee,

I wish to go on record as being **in favour** of the rezoning of this area to medium density R3 residential. If we are to maintain a firm urban boundary and halt the urban march onto prime farmland, as well as our tax burden due to expanded infrastructure, then we must increase densification across ALL neighbourhoods in Hamilton. My reasons for being in favour include:

- the location is directly adjacent to the QEW so would not impact neighbours on the south or west sides.
- it appears to be a vacant lot with no heritage that would be lost
- the water pressure report indicated that pressure is sufficient for the proposal
- there are excellent mixed use communities with high density buildings that have sprung up to the east along Hunter Road. Communities like this allow residents access to shopping, dining and entertainment within walking distance of their homes. Lang on the Water is literally the best Thai restaurant around and is on the ground floor of a lovely medium height condo overlooking the lake only a short drive away.
- I noticed letters from residents expressing a wish for amenities within walking distance since the only way to shop or dine from this location is to drive to the plaza drive on the south side of the highway.

**Importantly:** As an HCA cardholder and frequent user of Fifty Point beach in the summer, I do sympathize with residents who complain of traffic problems in July and August. Baseline road on a Saturday can be **20 eastbound cars at a standstill waiting to turn north into the Conservation Area**. With the parking areas at Fifty Point being on the far north side of the park, even area residents would be forced to drive to the beach that is right in their neighbourhood. Biking to the beach with a cooler of beer hidden in pop bottles won't happen.

Can Fifty point consider running an **electric shuttle bus, a golf cart convoy, or a Pier 8 style train** from the gates to the marina/beach to allow area residents to leave their cars at home? Or



the same from an external parking lot to allow those that drive here to leave our cars in an external pre-designated parking lot? Or move the gates further into the park to allow waiting vehicles to line up inside the park rather than on Baseline rd? There is a huge boat storage area near the entrance that seems to be underutilized and which could be used for queuing cars waiting to be admitted. All these ideas would alleviate traffic waiting on Baseline road for admittance to the park.

Building denser, more active transit and public transit friendly neighbourhoods across all areas of the city, not just 'downtown', is crucial to the sustainable growth of our city.

Kind regards  
Nancy Hurst  
Ancaster

**1400 Baseline Rd****File No.: CI-20-A**

Jan 30, 2022

Dear Madam Chair & Planning Committee Members, please accept this written submission of concerns.

My name is Linda MacMillan & I live adjacent to the property at 1400 Baseline Road. I've read the news articles, emails and reports as well I attended the Neighbourhood Information virtual meeting. I had hoped to speak with you today however day-time Public Meeting do not work for me. I do hope you read my written submission however that speaks to 3 Areas: **Sales Proceeds; Transcab and Location.**

**SALES PROCEEDS:**

There have been references to the need for a "pot of money" and a desire to address our concerns regarding traffic, sidewalks and lighting in the Fifty Road/North Service Road/Baseline Road areas and it has been **implied** that the sale of the 1400 Baseline property would give the City the funds to pursue signalization, sidewalks and lighting on the overpass.

My initial thoughts on that claim was that, if we as a municipality have to sell our public assets in order to put in sidewalks, there's a much bigger problem with our funding models & how our money gets spent.

Besides that thought, these statements are confusing because:

1. There already is lighting on the Fifty Road overpass... so we don't need funding for that.
2. Is it not true that HOW the money will be spent has already been decided by Council some time ago and that how the money is spent has absolutely ZERO significance to the planning principles to be evaluated when accessing an Official Plan Amendment or a rezoning?
3. Is it also not true that there already is \$350,000 earmarked in our Capital Budget for signalization at North Service/Fifty Road? The budget documents indicate \$90,000 has already been taken from our property taxes in 2018/2019? Why hasn't this work been done if the funds are sitting in an account?
4. Lastly, there is also an additional \$1.5 million sitting in the city's reserve funds for traffic projects on Fifty Road.

I do NOT believe that you HAVE to rezone 1400 Baseline to allow 9 stories in order for our area to get traffic calming.

Many of my neighbours have been writing for years about the traffic issues in our area.

It's rather suspect that the two issues are now being linked, especially when we've read our elected representative doesn't believe in speed bumps and that traffic calming supposedly is dangerous and creates road rage.

I did respond to a notification, issued by the city, to install speed bumps in front of my house at 1454 Baseline Rd. Speed bumps are not a solution in this specific location because the traffic that travels between Lockport Way and the main gate to 50 Point Conservation area are pulling trailers and boats. The constant clanging of chains and hitches is an encroachment to my personnel living conditions. I submitted a written response to the city with 5 possible solutions and not one 1 of those solutions were given any consideration. I spoke to the traffic coordinator personally and he had an excuse fore each and every one. Blah blah blah. I'm not sure that city council considers input from the community that is my community which is the community I call home.

### **TRANSCAB:**

1400 Baseline - is a remnant stock of vacant land in a sea of low profile car dependent lands in a Transcab area.

Even though we might get public transit sometime in the future, for obvious reason, this will not happen until after LRT & other transit priorities in the queue. Even if we do jump the queue it appears transit will terminate at the Winona Crossing Centre which is over a kilometer from this site it should be within 400 metres / walkable..

It's reasonable to conclude, the dependency on a vehicle will not change for our area. Either the new occupants will purchase their own cars or they will be dependent on Transcab which is a public service provided by a private entity. Transcab also introduces an exponential increase in the number of vehicles into the poorly functioning road network at Fifty Road/QEW.

Transcab is not sustainable. The Cost to city is close to \$30 per rider per one-way usage. A round trip is \$60 PER CUSTOMER round trip. Two customers in the same vehicle is \$120 cost to the city for **one daily round trip**. A group of 3 in the same vehicle and the city is billed \$180 per round trip. One person using Transcab 5 days a week for 50 weeks a year results in a billing of \$15,000 ! It's mind blowing to me that we would choose to increase the density with potential transit users with an insanely high cost model.

As well, Transcab is not Equitable. The cost to the customer is upwards of a 24% surcharge over our standard bus fares. Even our Golden Age seniors are surcharged!

In addition, the cost to all the property owners within our Transit Boundaries city-wide varies significantly from year to year because it is dependent on the number of users. From everything I've read, that is NOT the way to build and fund a transit system.

Transcab is Not Effective:

My daughter used Transcab. It Adds 4 to 6 hrs of travel time. Leaving from home in the a.m. it can take up to 1 hour for cab to pick up rider and drop them off at Jones Rd

The bus at Jones runs at 30 minute intervals which often resulted in missing one bus by minutes, and then waiting for another 30 minutes.

On her return trips home in the evening, the Trans cab driver would often wait at Jones Rd for multiple riders, this means waiting another 30 minutes for next bus which hopefully dropped off some other Transcab customers.

The Service is unreliable for working people! Many of us, including myself, drive to Eastgate to drop off and pick up transit users. And because Eastgate is where the B-line is planned to still terminate post LRT, people will likely continue to drive there because of the shorter bus intervals.

Location

I've also taken a look at other Higher Density Builds which were NOT supported:

Council didn't support a 9 storey at the corner of King St & Hwy 8 in 2016, beside a 7 storey and with 2 transit routes, so why would you support this 9 storey?

Council didn't support a 9 storey at the corner of James St N and Burlington St, adjacent to a 6 storey, so why would you support this 9 storey?

Council didn't support a 9 storey at the corner of Stonechurch and West 5th, within walking distance to Mohawk College and the A-line bus route, so why would you support this 9 storey?

Council didn't support a 9 storey at the corner of Main St W and Sanders Boulevard, near MacMaster & with public transit, so why would you support a 9 storey here?

A 4 storey on King St E in our Ward 10 also wasn't supported and everyone worked with the residents, Staff & City Council, to reach a settlement to reduce the build down to 3 storeys, so I don't understand why no one has spoken to us to try to reach a mutually agreeable settlement?

I've been told that those other 9 storey proposals have now been approved by the Ontario Land Tribunal & Council's opposition was overturned. I've also been told though, that those proposal were:

- (a) either on Primary Corridors or within 400 metres of a Corridor,
  - (b) serviced with conventional public transit
  - (c) fronting on an arterial road, and
  - (d) in the vicinity of other higher profile builds within the designated Neighbourhood
- It was for those reasons, the Tribunal decided 9 storeys were appropriate.

1400 Baseline is **not** serviced with conventional public transit.

1400 Baseline is **not** on or within 400 metres of a designated Corridor

1400 Baseline is **not** in the vicinity of an arterial road. The closest arterial road is South Service Road/Fifty and is separated by the QEW

1400 Baseline and the whole of the Neighbourhood, and the whole of the Secondary Plan area does **not** include any buildings higher than 3 storeys. The closest higher profile building is located 7.7 kms away at Green Road / Frances Avenue.

So why would Council support a 9 storey build here at 1400 Baseline Road?

For all the reasons I've stated, it is my opinion that this Official Plan amendment and Zoning ByLaw amendment should NOT be approved.

Thank you for considering my concerns.

Linda MacMillan

Submitted via e-mail

[dlcouncilonly@hamilton.ca](mailto:dlcouncilonly@hamilton.ca)

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

**From:** Shujaat Siddiqui  
**Sent:** Monday, January 31, 2022 10:54 AM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** 1400 Baseline Rd,

I am not comfortable with the high rise building in my backyard, I am directly affected by this zoning, City can use and make more money than if they put any other commercial plan on this property.

Thanks,  
Shujaat Siddiqui

# CITY OF HAMILTON

## MOTION

PLANNING COMMITTEE DATE: February 1, 2022

**MOVED BY COUNCILLOR M. PEARSON.....**

**SECONDED BY COUNCILLOR .....**

### **City Ambassadors on the Waterfront Trail**

WHEREAS, the use of the Waterfront Trail has become popular with out of town cyclists many of whom are travelling at unsafe speeds, creating daily safety concerns for other trail users; and,

WHEREAS, the use of e-bikes, e-scooters and other electric powered devices are increasingly used on the waterfront trail, contrary to the City's by-law, and,

WHEREAS, Licensing and By-law Services has previously hired summer students to act as Waterfront Trail Ambassadors as part of a pilot program in 2021 to educate the public and enforce City By-laws; and,

WHEREAS, the Waterfront Trail Ambassador program was considered a success and well received by trail users and Beach Neighbourhood residents,

**THEREFORE BE IT RESOLVED:**

That Licensing and By-law Services be directed to hire two summer students to act as City Ambassadors on the Waterfront Trail for the months of May through August 2022 at a cost of approximately \$28, 740.49 to be funded by the Hamilton Beach Reserve Account 108037.



# CITY OF HAMILTON

## NOTICE OF MOTION

PLANNING COMMITTEE DATE: February 1, 2022

**MOVED BY COUNCILLOR M. WILSON.....**

### **Nuisance Party By-law**

WHEREAS, section 10 of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting: economic, social and environmental well-being of the municipality; health, safety and well-being of person; the protection of persons and property; and structures, including fences and signs;

WHEREAS, section 128 of the Municipal Act, 2001 provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances and the opinion of Council under this section, if arrived at in good faith, is not subject to review by any court;

WHEREAS, thousands of students participated in a “fake homecoming” party near McMaster University on Saturday October 2, 2021, which resulted in personal injuries, damage to property, an overturned vehicle and garbage and glass strewn throughout two neighbourhoods;

WHEREAS, there have been other situations and incidents in the city of Hamilton, including but not limited to, student orientation, St. Patrick’s Day celebrations, tail-gating parties and other sports-related celebrations, where parties quickly became uncontrollable, disruptive and dangerous to city of Hamilton residents;

WHEREAS, as a result of these types of nuisance parties, there is a significant strain put on city emergency services to ensure the safety and well-being of all residents;

WHEREAS, a number of other Ontario municipalities have implemented a nuisance party by-law that gives law enforcement personnel a mechanism to control and disperse people when an event has become a public nuisance;

WHEREAS, Municipal Law Enforcement and Hamilton Police Service have reported that they would benefit from additional enforcement options beyond those available under existing City By-law and Provincial Statutes;

WHEREAS, a Nuisance Party By-law would provide Municipal Law Enforcement and Hamilton Police Service additional tools to address the negative impacts on neighbourhoods of behaviors associated with large social gatherings.

**THEREFORE BE IT RESOLVED:**

That Licensing and By-law Services be requested to consult with Hamilton Police Service and other community stakeholders, to identify best practices from other Ontario municipalities, and report back in the second quarter of 2022 next steps for the development and implementation of a Nuisance Party By-law in the City of Hamilton.

# CITY OF HAMILTON

## NOTICE OF MOTION

Planning Committee: February 1, 2022

**MOVED BY COUNCILLOR M. PEARSON.....**

**SECONDED BY COUNCILLOR .....**

**By-law 03-296, Being a By-law to Provide for the Removal of Snow and Ice from Roofs and Sidewalks**

WHEREAS, Section 130 of the *Municipal Act*, Chapter 25, S.O. 2001, provides that a municipality may regulate matters related to the health, safety, and well-being of the inhabitants of the municipality;

WHEREAS, the Council for the City of Hamilton enacted the Removal of Snow and Ice from Roofs and Sidewalks By-law No 03-296 to provide for the removal of snow and ice from roofs and sidewalks, abutting the highways in front of, or alongside, or at the rear of any occupied or unoccupied lot or vacant lot;

WHEREAS, the Removal of Snow and Ice from Roofs and Sidewalks By-law No 03-296 currently does not provide for a specific definition of “clearing” snow and ice making it inconsistent and unclear for property owners on their responsibilities and what constitutes compliance; and,

WHEREAS, contractors working on behalf of the City of Hamilton have a specific definition of “clearing” snow and ice in their contract;

THEREFORE, BE IT RESOLVED:

That Licensing and By-law Services staff be directed report to the Planning Committee with recommended changes to amend By-law No. 03-296, being a by-law for the Removal of Snow and Ice from Roofs and Sidewalks By-law to include a definition for “clearing” snow and ice consistent with the contractor contract in the City of Hamilton.