



City of Hamilton

CITY COUNCIL AGENDA

22-009

Wednesday, April 13, 2022, 9:30 A.M.

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

Call to Order

1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

2. DECLARATIONS OF INTEREST

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1. March 30, 2022

3.2. April 8, 2022 (Special)

4. COMMUNICATIONS

4.1. Correspondence from the Town of Georgina requesting support for their resolution imposing limitations upon the purchase of goods that can easily be traced to have originated from Russia.

Recommendation: Be received.

- 4.2. Correspondence from the City of Cambridge requesting support for their resolution requesting that the Province of Ontario impose an immediate temporary moratorium on all new gravel applications, including expansions to existing licenced sites.

Recommendation: Be received.

- 4.3. Correspondence from Karen Hayes respecting the Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 392, 398, 400, 402, 406, and

412 Wilson Street East and 15 Lorne Avenue (Ancaster) (PED22070) (Ward 12).

Recommendation: Be received and referred to the consideration of Item 3 of Planning Committee Report 22-005.

- 4.4. Correspondence from Garth Brown respecting the City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (HSC22007).

Recommendation: Be received and referred to the consideration of Item 2 of Emergency and Community Services Committee Report 22-005.

- 4.5. Correspondence from Brianne McIntosh, Project Coordinator, IBI Group respecting UPHOPA-20-08 & ZAC-20-013, Adjacent Property Comments.

Recommendation: Be received and referred to the consideration of Item 2 of Planning Committee Report 22-005.

- 4.6. Correspondence from the Municipality of Clarington requesting support for their resolution respecting their Comprehensive Zoning By-law Review Project, Zone Clarington.

Recommendation: Be received.

- 4.7. Correspondence from the Town of Plympton-Wyoming requesting support for their resolution respecting Funding Supports for Infrastructure Projects - Bridge/Culvert Replacements in Rural Municipalities.

Recommendation: Be received.

5. COMMITTEE REPORTS

- 5.1. Board of Health Report 22-004 - April 4, 2022

- 5.2. Public Works Committee Report 22-005 - April 4, 2022

- 5.3. Planning Committee Report 22-005 - April 5, 2022

- 5.4. General Issues Committee Report 22-007 - April 6, 2022

- 5.5. Sole Voting Member of the Hamilton Farmer's Market Report 22-002 - April 6, 2022

5.6. Audit, Finance and Administration Committee Report 22-008 - April 7, 2022

5.7. Emergency and Community Services Committee Report 22-005 - April 7, 2022

6. MOTIONS

6.1. Amendment to Item 2 of the General Issues Committee Report 19-017, respecting Report HUR19019 - Equity, Diversity and Inclusion Framework

6.2. Amending By-law for the Removal of Strachan Street Free Running Area, and Temporary Inclusion of Jackie Washington Rotary Park Leash Free - Free Running Area (Ward 2)

7. NOTICES OF MOTIONS

8. STATEMENT BY MEMBERS (non-debatable)

9. COUNCIL COMMUNICATION UPDATES

9.1. March 25, 2022 to April 7, 2022

10. PRIVATE AND CONFIDENTIAL

11. BY-LAWS AND CONFIRMING BY-LAW

11.1. 068

To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking

Schedule 8 – No Parking Zones

Schedule 12 – Permit Parking Zones

Ward: 3, 4, 12, 14

11.2. 069

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 386 Wilcox Street

ZAR-22-009

Ward: 3

- 11.3. 070
To Adopt Official Plan Amendment No. 165 to the Urban Hamilton Official Plan Respecting Waterdown Community Node Secondary Plan (Flamborough)
Ward: 15
- 11.4. 071
To Amend By-law No. 05-200, Respecting Mixed Use Medium Density and Institutional Lands Located within the Waterdown Community Node Secondary Plan, Hamilton
CI-21-F
Ward: 15
- 11.5. 072
To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Modifications to the Urban Residential (Single Detached) “R1” and Core Area Residential “R5” Zones with the Waterdown Node Secondary Plan Area
Ward: 15
- 11.6. 073
To Amend Zoning By-law No. 05-200 with Respect to a Temporary Use By-law for Outdoor Commercial Patios
Ward: City Wide
- 11.7. 074
To Amend Zoning By-law No. 05-200 with Respect to a Temporary Use By-law for Temporary Tents
Ward: City Wide
- 11.8. 075
To Amend Zoning By-law No. 05-200 With Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the City of Hamilton
Ward: City Wide
CI 22-D

11.9. 076

To Amend Zoning By-law No. 87-57 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Ancaster

CI 22-D

Ward: City Wide

11.10. 077

To Amend Zoning By-law No. 3581-86 (Dundas) with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Dundas

CI 22-D

Ward: City Wide

11.11. 078

To Amend Zoning By-law No. 90-145-Z with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Flamborough

Ward: City Wide

CI 22-D

11.12. 079

To Amend Zoning By-law No. 464 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Glanbrook

Ward: City Wide

CI 22-D

11.13. 080

To Amend Zoning By-law No. 6593 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the Former City of Hamilton

Ward: City Wide

CI 22-D

11.14. 081

To Amend Zoning By-law No. 3692-92 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former City of Stoney Creek

Ward: City Wide

CI 22-D

- 11.15. 082
To Adopt Official Plan Amendment No. 166 to the Urban Hamilton Official Plan Respecting Housekeeping Amendments
Ward: City Wide
- 11.16. 083
To Adopt Official Plan Amendment No. 33 to the Rural Hamilton Official Plan Respecting Housekeeping Amendments
Ward: City Wide
- 11.17. 084
To Amend Zoning By-law No. 05-200 Respecting Modifications and Updates to the Administration, Definitions, General Provisions, Parking, Commercial and Mixed Use Zones, Industrial Zones, Rural Zones, Zoning Maps, Special Exceptions, Holding Provisions, and Special Figures
Ward: City Wide
CI 22-C
- 11.18. 085
To Amend Zoning By-law No. 87-57 Respecting Modifications to the Existing Residential "ER" Zone in the former Town of Ancaster Zoning By-law
CI 22-C
Ward: 12
- 11.19. 086
To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 105 Braeheid Avenue, Flamborough
CI 22-C
Ward: 15
- 11.20. 087
To Amend Zoning By-law No. 6593, as amended by By-law No. 21-249, Respecting Lands Located at 311 and 313 Stone Church Road East
CI 22-C
Ward: 7

11.21. 088

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands known as Green Millen Shores Estates (Frances Avenue, Southshore Crescent, Lakefront Drive, Waterview Drive, Lakewalk Drive), Stoney Creek

CI 22-C

Ward: 10

11.22. 089

To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 22-007

9:30 a.m.

March 30, 2022

Council Chamber

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger
Councillors M. Wilson, J. Farr (Deputy Mayor), N. Nann, B. Johnson, J.P. Danko, B. Clark, M. Pearson, A. VanderBeek, E. Pauls, S. Merulla, L. Ferguson, J. Partridge, T. Whitehead, T. Jackson and R. Powers.

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Erie, Neutral, HuronWendat, 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. It was further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation. The City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized 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.

CEREMONIAL ACTIVITY

3.1 Hamilton Mundialization Photography Contest – “Hamilton 175”

Mayor Eisenberger on behalf of the City of Hamilton and the City of Hamilton and the Hamilton Mundialization Committee are pleased to announce the winners of the photo competition to celebrate the City of Hamilton, Ontario, Canada and its ten twin cities, Shawinigan (QC), Mangalore (India), Kaga (Japan), Fukuyama (Japan), Racalmuto (Italy), Valle Peligna (Italy), Ma'anshan (China), Flint (MI), Sarasota (FL) and Monterrey (Mexico).

The theme of the photo competition, “Hamilton 175”, captures the essence of change or the passage of time that has promoted international peace and harmony. All photos have been taken by a resident of Hamilton or one of its twin cities, in any one of the 11 named municipalities, during the year 2021.

An independent judges' panel comprising local community members reviewed the photographs based on technical quality, artistic composition, texture and light, and overall representation of the theme.

Entries were submitted in the categories of Waterfronts and Nature.

Chris Bergantinos of Ward 12 (Councillor Ferguson) in Hamilton is the primary winner of the Nature category

- Photo title: 'A Little Piece of History'

Ayaka Konakade from Kaga, Japan is the secondary winner of the Nature category

- Photo title: 'Komorebi'

Carol Fitzsimmons of Ward 7 (Councillor Danko) in Hamilton is the winner of the Waterfronts category

- Photo title: 'Stillness'

Chris Bergantinos is the overall winner of the photo contest.

Thank you to everyone who submitted photos and congratulations to our winners!

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS

5.24 Correspondence from respecting the Heritage Listing of Grace Lutheran Church (1107 Main Street West, Hamilton)

- (a) Rabbi Daniel Green, Adas Isreal Congregation of Hamilton
- (b) David Falletta, Bousfields Inc.

Recommendation: Be received and referred to the consideration of Item 1(g) of Planning Committee Report 22-004.

5.25 Correspondence respecting the Enhanced Parks By-law - Encampment Enforcement:

- (a) Mary Cep
- (b) Joshua Weresch
- (c) Hamilton Social Medicine Response Team (HAMSMaRT)

Recommendation: Be received and referred to the consideration of Item 15 of Planning Committee Report 22-004

5.26 Correspondence from the Lakewood Beach Community Council respecting the Public Beach in their Area.

Recommendation: Be received and referred to Items 2 and (g)(i) of Board of Health Report 22-003.

6. COMMITTEE REPORTS – STAFF REPORTS

- 6.9 (a) Encampment Process: Staffing Feasibility / Service Levels Impacts (PED22088) (City Wide)

CHANGE TO THE ORDER OF ITEMS:

Item 7.4 an Amendment to Item 7 of the Economic Development and Planning Committee Report 10-005, respecting Delegated Authority To Incorporate City Reserve Lands into Public Highway (PED10051) (City Wide) is to be moved up on the agenda to be considered prior to Public Works Committee Report 22-004.

NOTICES OF MOTION:

- 8.1 Mayor’s Ukrainian Humanitarian Crisis and Response Advisory Committee
- 8.2 Demolition Permit Authorization to facilitate the Jamesville Re-Development for Renewed Affordable Housing

(VanderBeek/Nann)

That the agenda for the March 30, 2022 meeting of Council be approved, ***as amended.***

Result: Motion CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor M. Pearson declared a non-disqualifying interest to Item 5.8, Correspondence from the County of Prince Edward requesting support for their resolution requesting that the Government of Ontario take steps to address the ever-increasing problem of "Renovictions" and other bad-faith evictions and extend rent control to all tenancies including those first occupied after November 2018 (currently exempt from rent control restrictions), as she and her husband are rental property landlords.

Councillor M. Pearson declared a non-disqualifying interest to Item 5.15, Correspondence from the Honourable Peter Bethlenfalvy, Minister of Finance respecting the City of Hamilton's request for the authority to impose a tax on vacant residential units, under Part IX.1 of the Municipal Act, also referred to as a Vacant Home Tax, as she and her husband are rental property landlords.

Councillor S. Merulla declared a non-disqualifying interest to Item 5.8, Correspondence from the County of Prince Edward requesting support for their resolution requesting that the Government of Ontario take steps to address the ever-increasing problem of "Renovictions" and other bad-faith evictions and extend rent control to all tenancies including those first occupied after November 2018 (currently exempt from rent control restrictions), as he and his wife are rental property landlords.

Councillor S. Merulla declared a non-disqualifying interest to Item 5.15, Correspondence from the Honourable Peter Bethlenfalvy, Minister of Finance respecting the City of Hamilton's request for the authority to impose a tax on vacant residential units, under Part IX.1 of the Municipal Act, also referred to as a Vacant Home Tax, as he and his wife are rental property landlords.

Councillor A. VanderBeek declared a non-disqualifying interest to Item 5.8, Correspondence from the County of Prince Edward requesting support for their resolution requesting that the Government of Ontario take steps to address the ever-increasing problem of "Renovictions" and other bad-faith evictions and extend rent control to all tenancies including those first occupied after November 2018 (currently exempt from rent control restrictions), as she and her husband are rental property landlords.

Councillor A. VanderBeek declared a non-disqualifying interest to Item 5.15, Correspondence from the Honourable Peter Bethlenfalvy, Minister of Finance respecting the City of Hamilton's request for the authority to impose a tax on vacant residential units, under Part IX.1 of the Municipal Act, also referred to as a Vacant Home Tax, as she and her husband are rental property landlords.

Councillor B. Clark declared a disqualifying interest to Item 4 of Planning Committee Report 22-004, respecting Appeal of Urban Hamilton Official Plan Amendment and Zoning By-law Amendment Applications to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (PED22038) (Ward 2), due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor B. Clark declared a disqualifying interest to Item 7 of Planning Committee Report 22-004, respecting Application to Amend Hamilton Zoning By-law No. 05-200 for Lands Located at 1040 Garner Road West, Ancaster (PED22059) (Ward 12) due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor B. Clark declared a disqualifying interest to Item 11 of Planning Committee Report 22-004, respecting Discontinuation of Special Municipal Review Program for

Cannabis Retail Store Applications (PED22054) (City Wide) due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor B. Clark declared a disqualifying interest to Item 19 of Planning Committee Report 22-004, respecting Instructions - Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (LS22007/PED22038(a)) (Ward 2) due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor L. Ferguson declared a disqualifying interest to Item 18 of Planning Committee Report 22-004 respecting Taxi Fees - Amendment to By-law No. 07-170, a By-law to Licence and Regulate Various Businesses, as he is an investor in the taxi industry.

Councillor L. Ferguson declared a disqualifying interest to Item 4 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting 2022 Council Referred Business Case – Accessible Taxicabs (PED18072(a)), as he is an investor in the taxi industry.

Councillor J. Farr declared a disqualifying interest to Item 21 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Living Wage Supplementary Information (FCS20013(b)), as his son has applied to the City of Hamilton for a summer student position.

Councillor J. Farr declared a disqualifying interest to Item 22 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Summer Student General Labour – Recruitment Challenges (HUR22001(a)), as his son has applied to the City of Hamilton for a summer student position.

Councillor S. Merulla declared a disqualifying interest to Item 21 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Living Wage Supplementary Information (FCS20013(b)), as his daughter is an occasional employee with the City of Hamilton.

Councillor S. Merulla declared a disqualifying interest to Item 22 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Summer Student General Labour – Recruitment Challenges (HUR22001(a)), as his daughter is an occasional employee with the City of Hamilton.

Councillor E. Pauls declared a disqualifying interest to Item 21 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Living Wage Supplementary Information (FCS20013(b)), as her granddaughter has applied to the City of Hamilton for a summer student position.

Councillor E. Pauls declared a disqualifying interest to Item 22 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Summer Student General Labour – Recruitment Challenges (HUR22001(a)), as her granddaughter has applied to the City of Hamilton for a summer student position.

Councillor E. Pauls declared a disqualifying interest to Item 24(b)(i) of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting 2022 Tax Supported

Operating Budget – Recommendations (FCS22002(a)), Boards and Agencies, Hamilton Police Services operating budget, as her son is employed by the Hamilton Police Service.

Councillor E. Pauls declared a disqualifying interest to Item 24(k)(ii) of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting 2022 Tax Supported Operating Budget – Recommendations (FCS22002(a), Capital Financing, Police Services budget (2022 Tax Supported Operating Budget Book – Appendix “O” to Report 22-002, page 153), as her son is employed by the Hamilton Police Service.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4. February 23, 2022 (Item 4.1), March 2, 2022 (Item 4.2) and March 21, 2022 (Item 4.3)

(Johnson/Pearson)

That the Minutes of the February 23, 2022, March 2, 2022 and March 21, 2022 meetings of Council be approved, as presented.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(Farr/Merulla)

That Council Communications 5.1 to 5.26 be approved, as presented, as follows:

- 5.1 Correspondence from Norfolk County requesting support for their resolution respecting the Year of the Garden Proclamation.

Recommendation: Be endorsed.

- 5.2 Correspondence from Lisa Burnside, Chief Administrative Officer, Hamilton Conservation Authority respecting the *Conservation Authorities Act* Amendments - Programs & Services Inventory.

Recommendation: Be received.

- 5.3 Correspondence from Chrissy Sadowski, Autism Ontario respecting Autism Ontario's change to their model from Chapters to Regions, with their new South Region which includes Niagara, Norfolk, Hamilton, Haldimand and Brant.

Recommendation: Be received.

- 5.4 Correspondence from Scott Hunt, President and Theresa Malar, Executive Director of the Hamilton Aquatic Club Board of Directors advocating for youth programming in Hamilton.

Recommendation: Be received.

- 5.5 Correspondence from the Honourable Greg Rickford, Minister of Northern Development, Mines, Natural Resources and Forestry respecting the outbreak of the LDD moth (previously referred to as gypsy moth) in southern Ontario and some areas of the northeast region of the province.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

- 5.6 Correspondence from the Town of Bracebridge requesting support for their resolution respecting Hospital Capital Funding.

Recommendation: Be received.

- 5.7 Correspondence from Joshua Weresch respecting the Re-development of downtown core and shelter inclusion.

Recommendation: Be received.

- 5.8 Correspondence from the County of Prince Edward requesting support for their resolution requesting that the Government of Ontario take steps to address the ever-increasing problem of "Renovictions" and other bad-faith evictions and extend rent control to all tenancies including those first occupied after November 2018 (currently exempt from rent control restrictions).

Recommendation: Be received.

- 5.9 Correspondence from the Hamilton Oshawa Port Authority respecting the amalgamation of the Hamilton Port Authority and the Oshawa Port Authority under the name of the Hamilton-Oshawa Port Authority.

Recommendation: Be received and referred to the consideration of Item 7.1

- 5.10 Correspondence from the Niagara Peninsula Conservation Authority respecting resolutions appointing the Chair and Vice Chair for 2022 at their Annual General Meeting held on February 18, 2022.

Recommendation: Be received.

- 5.11 Correspondence from the Town of Collingwood requesting support for their resolution terminating their membership in the Ontario Municipal Water Association (OMWA). Link to the Transparency and the Public Trust: Report of the Collingwood Judicial Inquiry: https://www.collingwoodinquiry.ca/report/pdf/CJI-Complete_Report-2-web.pdf

Recommendation: Be received.

- 5.12 Correspondence from the Ministry of Northern Development, Mines, Natural Resources and Forestry seeking input about the use of floating accommodations on waterways over Ontario's public lands.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

- 5.13 Correspondence from the Township of Woolwich requesting support for their resolution requesting that the Government of Ontario provide stable, reliable and predictable funding for mental health organizations in their 2022 budget.

Recommendation: Be received.

- 5.14 Correspondence from Andrea Michaluk respecting deafness and discrimination.

Recommendation: Be received and referred to the Advisory Committee for Persons with Disabilities for review.

- 5.15 Correspondence from the Honourable Peter Bethlenfalvy, Minister of Finance respecting the City of Hamilton's request for the authority to impose a tax on vacant residential units, under Part IX.1 of the *Municipal Act*, also referred to as a Vacant Home Tax.

Recommendation: Be received.

- 5.16 Correspondence from the Municipality of South Huron requesting support for their resolution support of AMO's request for a two-month extension concerning the draft regulations regarding firefighter certification to afford an appropriate amount of time for the Ministry official to brief municipal leaders and for councils to be able to thoughtfully reply back on the draft regulations to your Ministry.

Recommendation: Be received.

- 5.17 Correspondence from Dave Pyke respecting the Posting of Safe/Unsafe for Swimming Signs.

Recommendation: Be received and referred to Items 2 and (g)(i) of Board of Health Report 22-003.

- 5.18 Correspondence from Chrissy Sadowski respecting World Autism Day on April 2, 2022.

Recommendation: Be received.

- 5.19 Correspondence from Marvin Rotrand, National Director, League for Human Rights, B'nai Brith Canada respecting May as Jewish Heritage Month.

Recommendation: Be received.

- 5.20 Correspondence from Ika Washington, Communications and Marketing, Manager, Sickle Cell Awareness Group of Ontario respecting World Sick Cell Day on June 19,2022.

Recommendation: Be received.

- 5.21 Correspondence from David Sheng, Board Member, Stand with Asian Coalition respecting May 10, 2022, as the "Day of Action Against Anti-Asian Racism".

Recommendation: Be received.

- 5.22 Correspondence from the City of Waterloo requesting support for their resolution respecting Ontario Must Build it Right the First Time.

Recommendation: Be endorsed.

- 5.23 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting Phase 2 Consultation on Urban River Valleys to Grow the Greenbelt: Proposed amendments to the Greenbelt Plan (2017) and Greenbelt Area Boundary Regulation (O. Reg 59/05) and Ideas for Adding more Urban River Valleys to the Greenbelt.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

- 5.24 Correspondence from respecting the Heritage Listing of Grace Lutheran Church (1107 Main Street West, Hamilton)

- (a) Rabbi Daniel Green, Adas Isreal Congregation of Hamilton
- (b) David Falletta, Bousfields Inc.

Recommendation: Be received and referred to the consideration of Item 1(g) of Planning Committee Report 22-004.

- 5.25 Correspondence respecting the Enhanced Parks By-law - Encampment Enforcement:

- (a) Mary Cep
- (b) Joshua Weresch
- (c) Hamilton Social Medicine Response Team (HAMSMaRT)

Recommendation: Be received and referred to the consideration of Item 15 of Planning Committee Report 22-004

- 5.26 Correspondence from the Lakewood Beach Community Council respecting the Public Beach in their Area.

Recommendation: Be received and referred to Items 2 and (g)(i) of Board of Health Report 22-003.

Result: Motion on the Communication Items, CARRIED by a vote of 14 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Farr/Jackson)

That Council move into Committee of the Whole for consideration of the Committee Reports.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

HAMILTON UTILITIES CORPORATION SHAREHOLDER REPORT 22-001

(Farr/Merulla)

That Hamilton Utilities Corporation Shareholder Report 22-001, being the meeting held on Wednesday, March 2, 2022, be received.

Result: Motion on the Hamilton Utilities Corporation Shareholder Report 22-001, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Russ Powers
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE (2022 OPERATING BUDGET) REPORT 22-002

(Farr/Ferguson)

That General Issues Committee (2022 Operating Budget) Report 22-002, being meetings held from January - March 2022, be received and the recommendations contained therein be approved.

Upon Council's request, Item 2 was voted on separately, as follows:

2. Review of Area Rating Methodologies (FCS21078(a)) (City Wide) (Item 7.1) (January 14, 2022)

That Report FCS21078(a), respecting the Review of Area Rating Methodologies, be received.

Result: Motion on Item 2 of the General Issues Committee (2022 Operating Budget) Report 22-002 CARRIED by a vote of 11 to 4, as follows:

NO - Ward 1 Councillor Maureen Wilson
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr
 NO - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NO - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 4 was voted on separately, as follows:

4. 2022 Council Referred Business Case – Accessible Taxicabs (PED18082(a)) (City Wide) (Item 7.2) (February 10, 2022)

- (a) That the 2022 Council referred business case involving Financial Incentives for Taxi Operators to Provide Accessible Taxicab Trips, be referred to the 2023 Budget process for consideration; and,
- (b) That the Accessible Taxicab Trips pilot program be extended for one year to end on April 1, 2023, with operations ending December 31, 2022, at an estimated cost of \$60,000, to be funded from the Working Funds – General Reserve (Account# 112400).

Result: Motion on Item 4 of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Due to declared conflicts Item 21, was voted on separately, as follows:

21. Living Wage - Supplementary Information (FCS20013(b)) (City Wide) (Item 7.3) (February 25, 2022)

That Report FCS20013(b), respecting Living Wage - Supplementary Information, be received.

Result: Motion on Item 21 of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 11 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
CONFLICT – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
CONFLICT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
CONFLICT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NO - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Due to declared conflicts Item 22, was voted on separately, as follows:

22. Summer Student General Labour – Recruitment Challenges (HUR22001(a)) (City Wide) (Item 7.4) (February 25, 2022)

That Report HUR22001(a), respecting Summer Student General Labour – Recruitment Challenges, be received.

Result: Motion on Item 22 of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 10 to 2, as follows:

YES - Ward 1 Councillor Maureen Wilson
CONFLICT – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
CONFLICT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
CONFLICT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NO - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

Upon Council's request, Item 23(d) was voted on separately, as follows:

23. Area Rating Review (FCS21078(b)) (City Wide) (Item 6.2) (March 23, 2022)

(d) That the area rating of Parkland Purchases be eliminated once the existing internal debt has been paid off;

Result: Motion on Item 23(d) of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 14 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NO - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Due to a declared conflict Item 24(b)(i), was voted on separately, as follows:

24. 2022 Tax Supported Operating Budget – Recommendations (FCS22002(a)) (City Wide) (Item 6.3) (March 23, 2022)

(b) Boards and Agencies

(i) That the Hamilton Police Services operating budget of \$183,542,540 in Appendix "N" attached to Report 22-002, be approved;

Result: Motion on Item 24(b)(i) of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 13 to 1, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
CONFLICT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Due to a declared conflict Item 24(k)(ii), was voted on separately, as follows:

**24. 2022 Tax Supported Operating Budget – Recommendations (FCS22002(a))
(City Wide) (Item 6.3) (March 23, 2022)**

(k) Capital Financing

(ii) That the Capital Financing portion of the Police Services budget (2022 Tax Supported Operating Budget Book – Appendix “O” to Report 22-002, page 153) of \$1,269,000, inclusive of amendments as per Appendix “P”, as amended, attached to Report 22-002, be approved; and,

Result: Motion on Item 24(k)(ii) of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 13 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
CONFLICT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

BOARD OF HEALTH REPORT 22-003

(Wilson/Pearson)

That Board of Health Report 22-003, being the meeting held on Monday, March 21, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 22-003, CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

MOTIONS

7.4 Amendment to Item 7 of the Economic Development and Planning Committee Report 10-005, respecting Delegated Authority To Incorporate City Reserve Lands into Public Highway (PED10051) (City Wide)

(Partridge/Nann)

WHEREAS it is recommended that the City discontinue it's previous process of only having authority as approved by Planning and Economic Development Committee Report 10-005 as approved by Council on March 10, 2010 for Reserve lands only and to continue to prepare reports to Council to incorporate legacy widenings and City widenings into public highway on a case by case basis, as it creates time delays as this is subject to standing committee and Council meeting schedules and is cumbersome during the summer months, when Council meetings are less frequent and development activity is most active.

THEREFORE, BE IT RESOLVED:

That Item 7 of the Economic Development and Planning Committee Report 10-005, respecting Report PED10051 - Delegated Authority To Incorporate City Reserve Lands into Public Highway, which was approved by Council on March 10, 2010, be deleted in it's entirety, as follows:

~~**7. Delegated Authority To Incorporate City Reserve Lands into Public Highway (PED10051) (City Wide) (Item 5.7)**~~

~~***That the General Manager of Public Works be authorized and directed to prepare by-laws under the provisions of subsection 31(2) of the Municipal Act, as amended, and place before Council for enactment, to incorporate City reserve lands into public highway, provided:***~~

~~***(a) The land encumbered by the reserve is under an application to subdivide or develop that has been approved the City;***~~

~~***(b) The incorporating by-laws are in a standard form satisfactory to the City Solicitor;***~~

~~***(c) The General Manager of Planning and Economic Development has confirmed that all outstanding requirements with respect to the reserve lands have been completed to the satisfaction of the City.***~~

Result: Motion CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Deputy Mayor - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Russ Powers
 YES - Ward 6 Councillor Tom Jackson

- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 22-004

(Nann/Powers)

That Public Works Committee Report 22-004, being the meeting held on Monday, March 21, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 22-004, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 22-004

(Farr/Johnson)

That the consideration of Planning Committee Report 22-004, be deferred until after consideration of Item 6.9, Encampment Process: Staffing Feasibility / Service Levels Impacts (PED22088) (City Wide).

Result: Motion CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 22-006

(Farr/Merulla)

That General Issues Committee Report 22-006, being the meeting held on Wednesday, March 23, 2022, be received and the recommendations contained therein be approved.

Upon Council's request, Item 4 was voted on separately, as follows:

4. **Light Rail Transit (LRT) Agreements Update (PED21176(a)) (City Wide) (Item 8.4)**
 - (a) That the City Manager be authorized and directed to execute the Communications Protocol for the Hamilton Light Rail Transit (LRT) project, attached as Appendix "A" to Report 22-006. as a Schedule to the Hamilton LRT Memorandum of Understanding;
 - (b) That the City Manager be given delegated authority to negotiate and execute a protocol respecting property interests to and from the City of Hamilton and any ancillary documents, in accordance with key terms set out in the Protocol respecting Property Interests to and from the City of Hamilton term sheet, attached as Appendix "B" to Report 22-006, in a form satisfactory to the City Solicitor, as a Schedule to the Hamilton LRT Memorandum of Understanding; and,
 - (c) That the City Manager be given delegated authority to negotiate and execute a Governance Terms of Reference and any ancillary documents in accordance with the City of Hamilton and Metrolinx Governance Framework, attached as Appendix "C" to Report 22-006, in a form satisfactory to the City Solicitor, as a Schedule to the Hamilton LRT Memorandum of Understanding.

Result: Motion on the Item 4 of the General Issues Committee Report 22-006, CARRIED by a vote of 12 to 4, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NO - Ward 15 Councillor Judi Partridge
NO - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
NO - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Upon Council's request, Item 10 was voted on separately, as follows:

10. Entertainment Venues Municipal Capital By-Law (PED18168(h)) (Ward 2) (Item 10.6)

- (a) That the lands known as the FirstOntario Centre, located at 101 York Boulevard, Hamilton, be declared a municipal capital facility operating as a sport, recreational and entertainment complex for public use, to be exempted from taxation for municipal and school purposes;
- (b) That the lands in the known as the Hamilton Convention Centre, located at 1 Summers Lane, Hamilton, be declared a municipal capital facility operating as a convention and entertainment complex for public use, to be exempted from taxation for municipal and school purposes;
- (c) That the lands in the known as the FirstOntario Concert Hall, located at 1 Summers Lane, Hamilton, be declared a municipal capital facility operating as a concert hall and entertainment complex for public use, to be exempted from taxation for municipal and school purposes;
- (d) That the Mayor and City Clerk be authorized and directed to execute Municipal Capital Facilities Agreements, and any ancillary documents, substantially in the form attached as Appendix "A" to Report PED18168(h), with such amendments deemed reasonable and necessary to the satisfaction of the City Solicitor, effective on or prior to the lease commencement dates of the FirstOntario Centre, Hamilton Convention Centre, and FirstOntario Concert Hall;
- (e) That the By-law, attached as Appendix "B" to Report PED18168(h), to establish Municipal Capital Facility Designation for the FirstOntario Centre, be passed;
- (f) That the By-law, attached as Appendix "C" to Report PED18168(h), to establish Municipal Capital Facility Designation for the FirstOntario Concert Hall, be passed;

- (g) That the By-law, attached as Appendix "D" to Report PED18168(h), to establish Municipal Capital Facility Designation for the Hamilton Convention Centre, be passed;
- (h) That, upon approval by Council, staff be directed to give written notice of the following By-laws to the secretary of the school boards having jurisdiction, and the Municipal Property Assessment Corporation; and,
 - (i) MCF By-law – Arena
 - (ii) MCF By-law – Concert Hall
 - (iii) MCF By-law – Convention Centre
- (i) That the Clerk be directed to give written notice of the By-law approving this staff report in respect of recommendation (d) to the Minister of Finance;
- (j) That staff be directed to review what, if any, portions of the agreement between the City of Hamilton and the Hamilton Urban Precinct Group LP, with regard the lands known as the FirstOntario Centre, the Hamilton Convention Centre and the FirstOntario Concert Hall may be publicly released, and report back to the General Issues Committee; and,
- (k) That staff be directed to report back annually on the operations of the Hamilton Urban Precinct Group LP, with regard the lands known as the FirstOntario Centre, the Hamilton Convention Centre and the FirstOntario Concert Hall, and report back to the General Issues Committee.

Result: Motion on Item 10 of the General Issues Committee Report 22-006, CARRIED by a vote of 14 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the General Issues Committee Report 22-006, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Pearson/Farr)

That Council recess for 30 minutes, until 1:00 p.m.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 22-007
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(Pearson/Wilson)

That Audit, Finance and Administration Committee Report 22-007, being the meeting held on Thursday, March 24, 2022, be received and the recommendations contained therein be approved.

(Farr/Partridge)

That Item 1 of the Audit, Finance and Administration Committee Report 22-007, respecting correspondence from Trent Jarvis, Hamilton Waterfront Trust, respecting an update to the Audit, Finance and Administration Committee in April or May of 2022 (Item 5.2), be amended by adding '**and the Executive Director**' to sub-section (b) and by deleting sub-section (c) in its entirety, to read as follows:

1. **Correspondence from Trent Jarvis, Hamilton Waterfront Trust, respecting an update to the Audit, Finance and Administration Committee in April or May of 2022 (Item 5.2)**
 - (a) That the correspondence from Trent Jarvis, Hamilton Waterfront Trust, respecting an update to the Audit, Finance and Administration Committee in April or May of 2022, be received; and,
 - (b) That staff be directed to develop a scope of work and report back to the Audit, Finance and Administration Committee on April 21, 2022 on an independent third party audit review to verify the financial strength of the Hamilton Waterfront Trust on a going forward basis, with an invitation to the Chair **and the Executive Director** of the Hamilton Waterfront Trust and to attend; ~~and,~~
 - ~~(c) That the Executive Director of the Hamilton Waterfront Trust be requested to attend the April 7, 2022 Audit, Finance and Administration Committee meeting to present.~~

Result: Item 1 of the Audit, Finance and Administration Committee Report 22-007, As Amended, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Russ Powers
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Audit and Administration Committee Report 22-007, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr

- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 22-004

(Clark/Merulla)

That Emergency and Community Services Committee Report 22-004, being the meeting held on Thursday, March 24, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Emergency and Community Services Committee Report 22-004, CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES- Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

STAFF REPORTS

6.9(a) Encampment Process: Staffing Feasibility / Service Levels Impacts (PED22088) (City Wide)

(Farr/Merulla)

That staff in the Licensing and By-law Services Division be authorized to create a dedicated team of 4 full-time temporary Municipal Law Enforcement (MLE) Officer

positions on a pilot basis until December 31, 2022 to enforce City by-laws related to encampments, at an estimated total cost of \$416,673.73, to be funded through the Tax Stabilization Reserve.

Result: Motion, CARRIED by a vote of 11 to 4, as follows:

NO - Ward 1 Councillor Maureen Wilson
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr
 NO - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Russ Powers
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 NO - Ward 8 Councillor John-Paul Danko
 NO - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES- Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 22-004 CONTINUED

(Johnson/Partridge)

That Planning Committee Report 22-004, being the meeting held on Tuesday, March 22, 2022, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 4, was voted on separately as follows:

4. Appeal of Urban Hamilton Official Plan Amendment and Zoning By-law Amendment Applications to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (PED22038) (Ward 2) (Item 7.4)

That Report PED22038 respecting the Appeal of Urban Hamilton Official Plan Amendment and Zoning By-law Amendment Applications to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton, be received.

Result: Motion on Item 4 of the Planning Committee Report 22-004, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Russ Powers
 YES - Ward 6 Councillor Tom Jackson

- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- CONFLICT - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 7, was voted on separately as follows:

7. Application to Amend Hamilton Zoning By-law No. 05-200 for Lands Located at 1040 Garner Road West, Ancaster (PED22059) (Ward 12) (Item 9.1)

- (a) That Zoning By-law Amendment Application ZAC-21-030, by Urban Solutions Planning and Land Development c/o Matt Johnston on behalf of Garner Investments Inc., Owner, for a change in zoning from the Prestige Business Park (M3, 376, 678) Zone to the Prestige Business Park (M3, 376, 678, 771) Zone to modify the restaurant requirements applicable to the subject lands, as shown on Appendix “A” attached to Report PED22059, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED22059 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), conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan.
- (b) That the public submissions were received and considered by Committee in approving the application.

Result: Motion on Item 7 of the Planning Committee Report 22-004, CARRIED by a vote of 14 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
CONFLICT - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 11, was voted on separately as follows:

11. Discontinuation of Special Municipal Review Program for Cannabis Retail Store Applications (PED22054) (City Wide) (Item 10.3)

- (a) That effective September 30, 2022, Staff be directed to discontinue the special municipal review program for Cannabis Retail Store applications as previously directed by Council through Report PED18249(a) on January 14, 2019;
- (b) That the responsibility for enforcing City By-laws with respect to Cannabis, be assumed through the City's regular By-Law enforcement and business licensing programs; and,
- (c) That subject to the approval of Recommendation (a) and (b), Licensing and By-law Services work with the City's Communication team to develop a local awareness campaign to educate residents and business owners on how to be notified and comment on new cannabis applications.

Result: Motion on Item 11 of the Planning Committee Report 22-004, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
CONFLICT - Ward 9 Councillor Brad Clark

Upon Council's request, Item 15 was voted on separately, as follows:

15. Enhanced Parks By-law - Encampment Enforcement (Item 11.3)

WHEREAS, on August 9, 2021, City Council voted to return to enforcing the prohibition of Camping in our City parks and public places and through our Parks Bylaw. A prohibition no different than any other municipality across the Province.

WHEREAS, the number of encampments more than doubled from approximately 20 to over 40 following the August 9th resolution with many encampments entrenched in public parks for months.

WHEREAS, on September 9, 2021, the Emergency and Community Services Committee received Information Report PED21188/HSC20038(c)—Encampment Response Update (copy attached) which outlined the Encampment Process implemented by City Staff;

WHEREAS, City Council is concerned that persons continue to camp in City parks in contravention of the Parks Bylaw and for extended periods - contrary to neighbouring municipalities where Park Bylaw enforcement is direct and takes a few days maximum if not sooner; and,

WHEREAS, City Council believes Hamilton should not be the only city with a Parks Bylaw enforcement process that results in both an increase in the number of encampments and the length of time encampments are located in a park or public space and should therefore facilitate the implementation of the Encampment Process to incorporate more precise timelines and direction into the Process consistent with similar processes implemented in other Ontario municipalities;

THEREFORE, BE IT RESOLVED:

- (a) That Staff be directed to complete their activities under the Encampment Process, including notifying the Hamilton Police Service that a Trespass Notice has been issued, within 12 to 72 hours after staff receive the first complaint regarding unauthorized camping in a City park or public place;
- (b) That Staff be directed to enforce the Encampment Process 7 days per week; and,
- (c) That staff be directed to report on staff and feasibility service levels for encampment enforcement at the March 30th Council meeting.

Result: Motion on Item 15 of the Planning Committee Report 22-004, CARRIED by a vote of 11 to 4 as follows:

NO - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers

YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 NO - Ward 8 Councillor John-Paul Danko
 NO - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 19, was voted on separately as follows:

19. Instructions - Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (LS22007/PED22038(a)) (Ward 2) (14.2)

- (a) That the directions to staff in closed session respecting Report LS22007/PED22038(a) be released to the public, following approval by Council; and,
- (b) That the balance of Report LS22007/PED22038(a) remain confidential.

Result: Motion on Item 19 of the Planning Committee Report 22-004, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Russ Powers
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 CONFLICT - Ward 9 Councillor Brad Clark

Upon Council's request, Item 1(g)(a) was voted on separately, as follows:

1. Hamilton Municipal Heritage Committee Report 22-002 (Item 7.1)

(g) Inventory and Research Working Group Notes – January 24, 2022 (Added Item 10.4)

(a) 1107 Main Street West (Grace Lutheran Church) (Item 1)

That 1107 Main Street West, Grace Lutheran Church, be added to the Municipal Heritage Register and to the staff work plan for heritage designation under the Ontario Heritage Act.

Result: Motion on Item 1(g)(a) of the Planning Committee Report 22-004, DEFEATED by a vote of 0 to15, as follows:

NO - Ward 1 Councillor Maureen Wilson
 NO – Deputy Mayor - Ward 2 Councillor Jason Farr
 NO - Ward 3 Councillor Nrinder Nann
 NO - Ward 4 Councillor Sam Merulla
 NO - Ward 5 Councillor Russ Powers
 NO - Ward 6 Councillor Tom Jackson
 NO - Ward 7 Councillor Esther Pauls
 NO - Ward 8 Councillor John-Paul Danko
 NO - Mayor Fred Eisenberger
 NO - Ward 15 Councillor Judi Partridge
 NO - Ward 14 Councillor Terry Whitehead
 NO - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NO - Ward 11 Councillor Brenda Johnson
 NO - Ward 10 Councillor Maria Pearson
 NO - Ward 9 Councillor Brad Clark

1. Hamilton Municipal Heritage Committee Report 22-002 (Item 7.1)

(Wilson/Powers)

WHEREAS, the City of Hamilton received Urban Hamilton Official Plan Amendment application UHOPA-20-012 and Zoning By-law Amendment application ZAC-20-016 on February 13, 2020 to permit the development of a 15 storey mixed use building at the lands located at 1107 Main Street West;

WHEREAS, the subject property is included in the City's Inventory of Heritage Buildings and the City's Places of Worship Inventory;

WHEREAS, a Cultural Heritage Impact Assessment was completed by Metropolitan Design dated January 2020 and submitted in support of the applications and was revised to address staff comments and comments of the Policy and Design Working Group of the Hamilton Municipal Heritage Committee;

WHEREAS, an additional Cultural Heritage Impact Assessment (CHIA) was completed by Parslow Heritage Consultancy Inc. dated November 2021 and was submitted in support of the applications and determined that while Grace Lutheran Church has established heritage value the commemoration and salvage of heritage features is the appropriate method of recognizing the contributions of the church to the community of Ainslie Wood Westdale;

WHEREAS, Cultural Heritage Planning staff reviewed the CHIA and found the assessment to be comprehensive and required minor revisions to the CHIA;

WHEREAS, the Policy and Design Working Group and the Inventory and Research Working Group of the Hamilton Municipal Heritage Committee were not supportive of the recommendations of the CHIA and recommended that the Hamilton Municipal Heritage Committee add the property to the Heritage Register and the City's Workplan for Designation under Part IV of the *Ontario Heritage Act*;

WHEREAS, the Hamilton Municipal Heritage Committee at its meeting on February 25, 2022 approved the Inventory and Research Working Group Notes including adding the lands located at 1107 Main Street West to the Heritage Register and the City's Workplan for Designation under Part IV of the *Ontario Heritage Act*;

WHEREAS, the proposed development includes retaining the façade of Grace Lutheran Church to be incorporated into a community garden located on site;

WHEREAS, the owner will be required to submit and implement a Documentation and Salvage Report to consider incorporating additional materials and features into the development and providing documentation of the existing heritage features;

THEREFORE, BE IT RESOLVED:

That Item 1(g)(a) of the Planning Committee Report 22-004, respecting the Inventory and Research Working Group Notes – January 24, 2022, 1107 Main Street West (Grace Lutheran Church), ***be amended*** to read as follows:

1. Hamilton Municipal Heritage Committee Report 22-002 (Item 7.1)

**(g) Inventory and Research Working Group Notes – January 24, 2022
(Added Item 10.4)**

(a) 1107 Main Street West (Grace Lutheran Church) (Item 1)

(i) That the lands located at 1107 Main Street West be added to the Heritage Register;

(ii) That the inclusion of 1107 Main Street West on the City's Workplan for Designation under Part IV of the Ontario Heritage Act, be referred back to Planning Committee until such time as Council has made a decision on the applications for an Official Plan Amendment and Zoning By-law Amendment; and,

- (iii) That as part of the review of the applications for an Official Plan Amendment and Zoning By-law Amendment, that staff be directed to report back on options on how the recommendations of the November, 2021 CHIA will be implemented.**

Result: Motion on Item 1(g)(a) of the Planning Committee Report 22-004, As Amended, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Planning Committee Report 22-004, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES- Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Farr/Pearson)

That Council rise from Committee of the Whole to consider the Committee Reports.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

MOTIONS - Continued

7.1 Hamilton Port Authority – City of Hamilton Liaison Committee Name Change

(Pauls/Partridge)

WHEREAS, the Hamilton Port Authority and the Oshawa Port Authority have amalgamated in one port authority, named the Hamilton-Oshawa Port Authority;

WHEREAS, the name of the Hamilton Port Authority – City of Hamilton Liaison Committee should be changed to reflect the new name.

THEREFORE, BE IT RESOLVED:

- (a) That the Hamilton Port Authority – City of Hamilton Liaison Committee be renamed the Hamilton-Oshawa Port Authority – City of Hamilton Liaison Committee; and
- (b) That the Terms of Reference, as amended to reflect the name change, attached as Appendix “A”, be approved.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7.2 Amendment to Appendix “B” to Item 4 of the Audit, Finance and Administration Committee Report 21-022, respecting Investing in City Roads and Sidewalks Infrastructure with Canada Community - Building Funds, which was approved by Council on December 15, 2021

(VanderBeek/Powers)

- (a) That Appendix “B” to Item 4 of the Audit, Finance and Administration Committee Report 21-022 (attached hereto), respecting Investing in City Roads and Sidewalks Infrastructure with Canada Community - Building Funds – Capital Project List, which was approved by Council on December 15, 2021, **be amended**, by deleting both the Sydenham Road Cycling Facility and Carey Street resurfacing projects from the list of projects, and renumbering the remaining projects accordingly;
- (b) That sub-section (a) to Item 4 of the Audit, Finance & Administration Committee, respecting Investing in City Roads and Sidewalks Infrastructure with Canada Community - Building Funds – Capital Project List, which was approved by Council on December 15, 2021, **be amended**, by adding the words “**as amended**”, to read as follows:
- (a) That the Canada Community Building Fund investment of \$30 M be allocated to the list of projects in Appendix “B”, **as amended**, to Audit, Finance & Administration Committee Report 21-022;

Main Motion, **As Amended**, reads as follows:

4. Investing in City Roads and Sidewalks Infrastructure with Canada Community - Building Funds

- (a) That the Canada Community Building Fund investment of \$30 M be allocated to the list of projects in Appendix “B”, **as amended**, to Audit, Finance & Administration Committee Report 21-022;
- (b) That three Public Works temporary full time equivalents be hired for up to 24 months at an estimated cost of \$850,000 and funded from Unallocated Capital Levy Reserve 108020 to deliver the Canada Community-Building Fund projects; and,
- (c) That the Procurement Policy 4.9 Consulting and Professional Services requirements be waived to allow for the direct award of Roster Assignments above the \$150,000 threshold for consultancy work pertaining to the Canada Community-Building Fund projects.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7.3 Bill C-25, An Act to amend the *Federal-Provincial Fiscal Arrangements Act* Funding for Ward 13**(VanderBeek/Powers)**

WHEREAS, Deputy Prime Minister Freeland announced Bill C-25, An Act to amend the *Federal-Provincial Fiscal Arrangements Act*, to authorize certain payments to be made out of the Consolidated Revenue Fund and to amend another Act, which would permanently rename the Federal Gas Tax Fund to the Canada Community-Building Fund and increase funding by \$2.2 billion in 2021, almost double the allocation for this year, totaling approximately \$4.5 billion;

WHEREAS, the City of Hamilton received \$32.7 million in one-time funding under Bill C-25 and allotted \$2 million to each ward to invest in City roads and sidewalks infrastructure on July 9, 2021;

WHEREAS, Federal Gas Tax Funds must be spent within five years; and,

WHEREAS, the City of Hamilton staff will make best efforts to deliver all projects under the Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds initiative as expeditiously as possible;

THEREFORE, BE IT RESOLVED;

That up to \$2.0 million of the estimated \$2.0 million of the one-time funding allocated to Ward 13, under Bill C-25, be invested in sidewalk and road repairs (resurfacing) for:

- (a) Osler Drive – South Street to Grant Boulevard; and,
- (b) East Street North – Hunter Street to York Road.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Mayor Eisenberger relinquished the Chair to Deputy Mayor Farr in order to introduce the following motions:

7.5 Encampment Matter Reporting

(Eisenberger/Jackson)

That any matters listed on any of the Standing Committee Outstanding Business Lists, be referred to the General Issues Committee.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7.6 Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee**(Eisenberger/Merulla)**

WHEREAS, an estimated 3.8 million Ukrainian citizens have been forced to flee from their homeland due to the unjust war initiated by Russia on February 24, 2022;

WHEREAS, many Ukrainians are now seeking temporary refuge until such time they can safely return to their homeland;

WHEREAS, it is anticipated that tens of thousands of displaced Ukrainians will make their way to Canada, hundreds of whom will settle in the City of Hamilton;

WHEREAS, the Provincial and Federal Governments are financially responsible for newcomer and refugee settlement services;

WHEREAS the Federal Government has created the Canada-Ukraine Authorization for Emergency Travel (CUAET), that allows visitors to temporarily reside and work in Canada for up to three years;

WHEREAS, the Federal CUAET process differs from past newcomer and refugee support programs, and has not established what level of funding will flow through to settlement service organizations or the Port of Entry funding model;

WHEREAS, the Provincial Government has yet to announce a financial support program for displaced Ukrainians; and

WHEREAS, the City of Hamilton and its partner organizations led by Hamilton Immigration Partnership Council (HIPC) and the robust Canadian Ukrainian Hamilton community, has the experience and expertise required to assist newcomers;

THEREFORE, BE IT RESOLVED

- (a) That Council approve the creation of the Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee;
- (b) That the committee membership be comprised of key community organizations, stakeholders and city departments with the objective of providing the necessary supports to Hamilton's displaced Ukrainians;
- (c) That the General Manager of Healthy and Safe Communities, relevant HSC divisional Directors, the Senior HIPC Project Manager, and the Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee work with Federal and Provincial government partners on a comprehensive settlement plan to welcome these Ukrainians to the City of Hamilton;
- (d) That the settlement plan include but not be limited to, the necessary Provincial and Federally funded supports for housing, health, education, translation and labour services; and

- (e) That staff report back to the General Issues Committee with a progress update, the number of displaced Ukrainians that could be supported and any resource requirements.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Mayor Eisenberger assumed the Chair for the remainder of the meeting.

7.7 Demolition Permit Authorization to facilitate the Jamesville Re-Development for Renewed Affordable Housing

(Farr/Merulla)

WHEREAS, there is a housing crisis across Canada and here at home and new affordable units are desperately needed fast;

WHEREAS, On October 22, 2020, the CityHousing Hamilton Corporation (“CHH”) approved the plan to redevelop and intensify 405 James St N., the site bounded by James St. N., Ferrie St. W., MacNab St. N. and Strachan St. W. (known as “Jamesville”);

WHEREAS, the redevelopment of Jamesville would transform the 91-townhouse site into a mixed-income community that includes a 46-unit CHH building and up to 120 supportive housing units owned by Indwell Community Homes (“Indwell”), integrated within a mixed-use development that includes private market rental and/or ownership residential units built and marketed across the spectrum of affordability;

WHEREAS, the Successful Proponent known as the Jamesville Redevelopment Limited Partnership (“JRLP”) was secured through a competitive Request for Proposals (RFP) process and was approved by the CHH Resolution;

WHEREAS, CHH made application to the City for an ERG on 405 James ST N (ERG-19-06) on August 19, 2019 and the developer has agreed to take responsibility for both the demolition and the environmental remediation of the site; and

WHEREAS, the unique timing, partnership arrangement, and public policy rationale for the Jamesville redevelopment requires several Council directives be considered in order to expedite the demolition and redevelopment;

THEREFORE, be it resolved:

- (a) That the Chief Building Official be authorized to issue demolition permits for the 13 townhouse dwellings located at 405 James Street North, Hamilton, also known as, 2-8 Strachan Street West, 10-22 Strachan Street West, 24-38 Strachan Street West, 405-411 James Street North, 413-425 James Street North, 427-441 James Street North, 443-457 James Street North, 459-471 James Street North, 15-29 Ferrie Street West, 312-322 MacNab Street North, 324-338 MacNab Street North, 340-354 MacNab Street North and 356-372 MacNab Street North, in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act as amended, without having to comply with conditions 6(a), (b), and (c) of the Demolition Control By-law 09-208; and
- (b) That Staff be directed to prepare and bring forward a report to General Issues Committee and Council for the consideration of the applicable ERG application (ERG-19-06), along with any necessary program amendments to the ERASE Redevelopment Grant Program required to facilitate site remediation for the Jamesville affordable housing Development

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

8.1 Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee**(Eisenberger/Merulla)**

That the rules of order be waived to allow for the introduction of a Motion respecting the Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee.

Result: Motion CARRIED by a 2/3rds vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

For further disposition of this matter, refer to Item 7.6

8.2 Demolition Permit Authorization to facilitate the Jamesville Re-Development for Renewed Affordable Housing**(Farr/Merulla)**

That the rules of order be waived to allow for the introduction of a Motion respecting a Demolition Permit Authorization to facilitate the Jamesville Re-Development for Renewed Affordable Housing.

Result: Motion CARRIED by a 2/3rds vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

For further disposition of this matter, refer to Item 7.7

STATEMENTS BY MEMBERS

Members of Council used this opportunity to discuss matters of general interest.

COUNCIL COMMUNICATION UPDATES

(Farr/Pearson)

That the listing of Council Communication Updates from February 18, 2022 to March 24, 2022, be received.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

PRIVATE AND CONFIDENTIAL

Council determined that discussion of Item 11.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

11.1 Closed Session Minutes – February 23, 2022

(Pearson/Jackson)

That the Closed Session Minutes dated February 23, 2022 be approved, as presented, and remain confidential.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr
 NOT PRESENT - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Russ Powers
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

BY-LAWS AND CONFIRMING BY-LAW**(Farr/Jackson)**

That Bills No. 22-053 to No. 22-066, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

- 053 A By-law to Amend Zoning By-law No. 05-200 respecting lands located at 3331 Homestead Drive (Glanbrook)
ZAC-18-003
Ward: 11
- 054 To Authorize a Tax Exemption for Space Leased at 101 York Boulevard by Hamilton Urban Precinct Entertainment Group L.P. or an Associated Entity for the Purposes of the Provision of Municipal Capital Facilities as defined in Section 110 of the *Municipal Act, 2001*
Ward: 2
- 055 To Authorize a Tax Exemption for Space Leased at 1 Summers Lane by Hamilton Urban Precinct Entertainment Group L.P. or an Associated Entity for the Purposes of the Provision of Municipal Capital Facilities as defined in Section 110 of the *Municipal Act, 2001* Concert Hall
Ward: 2
- 056 To Authorize a Tax Exemption for Space Leaded at 1 Summers Lane by Hamilton Urban Precinct Entertainment Group L.P. or an Associated Entity for the Purposes of the Provision of Municipal Capital Facilities as defined in Section 110 of the *Municipal Act, 2001* Convention Centre
Ward: 2

- 057 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Ward: 4, 5, 7, 9, 12, 15
- 058 To Amend By-law No. 03-296, Being a By-law to Provide for the Removal of Snow and Ice from Roofs and Sidewalks
Ward: City Wide
- 059 To Amend By-law No.16-184, being a By-law to Regulate Enclosures for Privately-Owned Outdoor Pools
Ward: City Wide
- 060 To Designate Property Located at 77 Gage Avenue North, City of Hamilton, as Property of Cultural Heritage Value
Ward: 3
- 061 To Designate Property Located at 1099 King Street East, City of Hamilton as Property of Cultural Heritage Value
Ward: 3
- 062 To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 1040 Garner Road West, Ancaster
ZAC-21-030
Ward: 12
- 063 To Adopt Official Plan Amendment No. 32 to the Rural Hamilton Official Plan Respecting 1348 Concession 2 West, 1372 Concession 2 West and 173 Highway 52 (Flamborough)
Ward: 12
- 064 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 173 Highway 52, 1348 Concession 2 West and 1372 Concession 2 West, Hamilton
RHOPA-21-017 and ZAR-21-040
Ward: 12
- 065 To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Springbrook Avenue from Approximately 24.5 metres South of Lockman Drive to Approximately 17 metres South of Regan Drive, in the City of Hamilton
Ward: 12
- 066 To Confirm the Proceedings of City Council

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Johnson/Pearson)

That, there being no further business, City Council be adjourned at 5:33 p.m.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk



SPECIAL CITY COUNCIL MINUTES 22-008

11:00 a.m.

April 8, 2022

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

Present: Mayor F. Eisenberger (Chair), Deputy Mayor N. Nann
Councillors M. Wilson, J. Farr, S. Merulla, E. Pauls, T. Jackson,
B. Clark, M. Pearson, J.P. Danko, J. Partridge and L. Ferguson

Absent: Councillor A. VanderBeek – City Business
Councillor R. Powers – Personal
Councillor B. Johnson - Personal
Councillor T. Whitehead - Personal

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Erie, Neutral, HuronWendat, 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. It was further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation. The City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized 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.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

4. STAFF REPORTS

- 4.1 (a) Presentation respecting the City of Hamilton's Response to the Provincial *Bill 109, More Homes for Everyone Act, 2022* (PED22112) (City Wide)

(Clark/Nann)

That the agenda for the April 8, 2022 Special meeting of Council be approved, as presented.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

NOT PRESENT - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr
YES – Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 9 Brad Clark

DECLARATIONS OF INTEREST

There were no declarations of interest.

COMMUNICATIONS

(Nann/Clark)

That the correspondence from the Honourable Kate Manson-Smith, Deputy Minister, Ministry of Municipal Affairs and Housing respecting the More Homes for Everyone Plan (Item 3.1), be received and referred to the consideration of Item 4.1.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

NOT PRESENT - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES – Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 9 Brad Clark

(Nann/Partridge)

That Council move into Committee of the Whole for consideration of the Committee Reports.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

NOT PRESENT - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES – Deputy Mayor - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Russ Powers
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES – Ward 9 Brad Clark

STAFF REPORTS

4.1 City of Hamilton's Response to the Provincial *Bill 109, More Homes for Everyone Act, 2022 (PED22112) (City Wide)*

Tiffany Singh, Planner, provided Council with a presentation respecting the City of Hamilton's Response to the Provincial *Bill 109, More Homes for Everyone Act, 2022 (PED22112) (City Wide)*.

(Pearson/Clark)

That the presentation respecting the City of Hamilton's Response to the Provincial *Bill 109, More Homes for Everyone Act, 2022 (PED22112) (City Wide)*, be received.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES – Deputy Mayor - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Russ Powers
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES – Ward 9 Brad Clark

(Nann/Clark)

- (a) That Council receive Report PED22112 as the basis for written comments on *Bill 109*, including the attached table containing staff responses on each amendment, attached as Appendix “A” to Report PED22112;
- (b) That the Mayor submit a letter to the Minister of Municipal Affairs and Housing and ERO outlining the City of Hamilton’s comments regarding *Bill 109, More Homes for Everyone Act, 2022*;
- (c) That upon Royal Assent of *Bill 109, More Homes for Everyone Act, 2022 – Schedule 5 Amendments to the Planning Act*, staff be directed and authorized to prepare the necessary amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan, as well as any required policies and procedures to give effect to the proposed changes, and undertake an analyses on staffing impacts across the organization as well as any financial implications, and report back to the June 14, 2022 Planning Committee meeting.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Ward 2 Councillor Jason Farr
- YES – Deputy Mayor - Ward 3 Councillor Nringer Nann
- YES - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- NOT PRESENT - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- NOT PRESENT - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- NOT PRESENT- Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES – Ward 9 Brad Clark

(Nann/Pearson)

That the Committee of the Whole Rise and Report.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Ward 2 Councillor Jason Farr
- YES – Deputy Mayor - Ward 3 Councillor Nringer Nann
- YES - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Ward 5 Councillor Russ Powers
- YES - Ward 6 Councillor Tom Jackson
- NOT PRESENT - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 9 Brad Clark

CONFIRMING BY-LAW

(Nann/Clark)

That Bill No. 22-067, be passed and that the Corporate Seal be affixed thereto, and that the By-law, be numbered, be signed by the Mayor and the City Clerk to read as follows:

067 To Confirm the Proceedings of City Council

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES – Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 9 Brad Clark

(Jackson/Merulla)

That, there being no further business, City Council be adjourned at 1:34 p.m.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES – Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 9 Brad Clark

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk

Pilon, Janet

Subject: Federal Government Sanctions imposed on Russia

From: Carolyn Lance <clance@georgina.ca>

Sent: Thursday, March 31, 2022 11:40 AM

To: Ontario municipalities

Subject: Federal Government Sanctions imposed on Russia

Good morning.

Please find below a motion passed by Council of the Town of Georgina imposing limitations upon the purchase of goods that can easily be traced to have originated from Russia, and requesting support of this position by other Ontario municipalities;

RESOLUTION NO. C-2022-0081

Moved By Councillor Waddington

Seconded By Councillor Neeson

WHEREAS the country of Ukraine has experienced a premeditated and unprovoked invasion by Russia;

AND WHEREAS silence is complicity;

AND WHEREAS Canada imports hundreds of millions of dollars' worth of goods from Russia each year;

AND WHEREAS negative financial impacts upon a country can be used as a means to deter further conflict;

BE IT THEREFORE RESOLVED THAT the Town of Georgina unequivocally denounces Russia's unjustifiable war against Ukraine;

AND THAT the Town of Georgina supports the sanctions which the Federal government of Canada has thus far imposed on Russia;

AND THAT effective immediately and until a time when the sovereignty of Ukraine is once again unchallenged, the Town of Georgina will:

- 1) Not purchase any products (ie plywood, fertilizer, steel, furniture or machinery) which can be easily traced to have originated from Russia; and,
- 2) Insist that any future contracts for services for the Town of Georgina abide by these same limitations within our municipality;

AND THAT upon confirmation that the Belarusian military is engaged within Ukraine that the Town of Georgina apply these limitations upon goods from that country as well;

AND THAT this decision of Georgina Council be forwarded to all other municipalities within Ontario requesting they enact similar measures so that as a united front we can make a noticeable difference.

Carried Unanimously



Carolyn Lance

Council Services Coordinator
Clerk's Division | Town of Georgina
26557 Civic Centre Road, Keswick, ON | L4P 3G1
905-476-4301 Ext. 2219 | georgina.ca
Follow us on [Twitter](#) and [Instagram](#), like us on [Facebook](#)

Please note that our office hours are Monday to Friday, 8:30am to 4:30pm

**The Corporation of the City of Cambridge
Corporate Services Department
Clerk's Division
The City of Cambridge
50 Dickson Street, P.O. Box 669
Cambridge ON N1R 5W8
Tel: (519) 740-4680 ext. 4585
mantond@cambridge.ca**

4.2

March 31, 2022

Re: Motion: Councillor Wolf re: Request to impose a moratorium on all new gravel applications, including expansions to existing licensed sites

At the Special Council Meeting of March 22, 2022, the Council of the Corporation of the City of Cambridge passed the following Motion:

WHEREAS Ontario currently has over 3600 licenses and 2500 permits held by Operators located throughout the Province that are able to meet the expected near term needs of Ontario's construction industry;

AND WHEREAS in 2020 there was approximately 5,677,296 tonnes of aggregate extracted from properties located within the Township of North Dumfries;

AND WHEREAS applications continue to be submitted without a definitive determination if there is a need for additional supply;

AND WHEREAS gravel pits and quarries can be destructive of natural environments and habitats when not properly planned and managed;

AND WHEREAS pits and quarries have negative social impacts on host and neighbouring communities like Cambridge in terms of noise, air pollution, and truck traffic;

AND WHEREAS the urgent need to reduce greenhouse gas emissions in order to combat climate change has brought awareness to the very high carbon footprint associated with the production of concrete and asphalt which are major end-users of aggregates;

NOW THEREFORE BE IT RESOLVED THAT the Province of Ontario be requested to impose an immediate temporary moratorium on all new gravel applications, including expansions to existing licensed sites, pending a broad consultation process that would

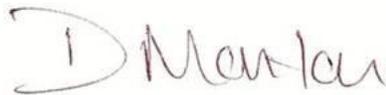
include First Nations, affected communities, independent experts and scientists, to chart a new path forward for the extraction and processing of aggregates in Southern Ontario which:

- i) Proposes criteria and processes for determining the need for new aggregate licences (including the expansion to existing licenses);
- ii) Recommends updated policies and restrictions for aggregate extraction below the water table to reflect current groundwater sciences; including quarterly water monitoring reports.
- iii) Assesses the cumulative impacts of aggregate operations in terms of off-site impacts to environmental systems; the groundwater regime and baseflow contributions to area watercourses, wetlands, etc; area habitat including corridors; traffic along haul routes; and, dust and noise emissions;
- iv) Develops new guidelines for reprocessing / recycling of concrete and asphalt products in order to ensure sustainable aggregate supplies;
- v) Recommends a fair levy for aggregate extraction that includes compensation for the full environmental and infrastructure maintenance costs to the local community of extraction and distribution of aggregate;
- vi) Provides greater weight to the input by local municipalities to lessen the social impacts from aggregate extraction and truck haul routes through their communities

AND FURTHER THAT a copy of this Resolution be sent to the Honourable Doug Ford, Premier of Ontario, the leaders of all Provincial Parties, the Minister of Northern Development, Mines, Natural Resources & Forestry, the MPPs of Waterloo Region, and, the Region of Waterloo.

Should you have any questions related to the approved resolution, please contact me.

Yours Truly,



Danielle Manton
City Clerk

Cc: (via email)
Hon. Premier Ford
Association of Municipalities of Ontario
City of Cambridge Council

Pilon, Janet

Subject: Response to Application for Official Plan Amendment and Zoning By-Law Amendment for Lands Located at 392, 398, 400, 402, 406, and 412 Wison Street East and 15 Lorne Avenue, Ancaster.

From: Kathy Hayes

Sent: Monday, April 4, 2022 12:03 PM

To: clerk@hamilton.ca

Subject: Re: Response to Application for Official Plan Amendment and Zoning By-Law Amendment for Lands Located at 392, 398, 400, 402, 406, and 412 Wison Street East and 15 Lorne Avenue, Ancaster.

I am totally against this proposed building for all of the reasons mentioned in the correspondence of Bob Maton.

Thank you,

Kathy Hayes
Ancaster Resident

Pilon, Janet

Subject: Attn. Mayor Eisenberger and Councillors - Follow up to the Emergency and Community Services Meeting Delegation April 7, 2022

From: Garth Brown

Sent: Friday, April 8, 2022 10:39 AM

To: clerk@hamilton.ca

Subject: Attn. Mayor Eisenberger and Councillors - Follow up to the Emergency and Community Services Meeting Delegation April 7, 2022

Hello,

My name is Garth Brown and I was a delegate at yesterday's Emergency and Community Services Committee. Please find below my submission as a follow up to the discussion which took place after my brief presentation. Please feel free to contact me should any clarification be required.

Thanks very much.

Best regards,

Garth Brown

Submission:

I applaud Mayor Eisenberger and each councillor for the work they do to support their constituents.

Based on points that were raised during the meeting, I would appreciate the opportunity to share some feedback based on my experience with everyone who was in attendance at the meeting:

1) Satellite Investors:

Real estate investors (including out-of-town and out-of-province investors) will **not** participate in the program. The grant is conditional on a tenant paying 80% of market rent. These 'satellite investors' will need to charge full market rent to cover their purchase and secondary suite construction.

The financial merit of the \$25,000 grant (plus the \$5,000 accessibility allowance if applicable) will best serve an existing homeowner. The cost-effective conversion of a basement or other part of a home will make the rental income (limited to 80% AMR) financially viable to cover construction costs inherent with the legal secondary suite.

2) Garage/Shed conversion:

Homeowners deciding on garage/shed conversions are likely to rent at full market rent as garage/shed conversions are much more than the costs of a basement conversion. The additional costs are associated with mechanical services (plumbing, electrical, HVAC) being supplied to another building and needing to be tied directly to the main line are some of the major additional expenses.

3) Senior homeowners:

Many older homeowners are wanting to age-in-place, staying close to their family, friends, doctors and the neighbourhood they love. A secondary suite can provide rental income, vigilance, additional help from their tenant for lawn/garden maintenance and snow shoveling. A secondary suite can also be built for the enjoyment of the senior homeowner! By-laws allow (where the property footprint is large enough) an addition to the existing home that could provide the homeowner with a ground floor mobility-friendly 'apartment' where they can enjoy their years of retirement. The older homeowner can then move into the new apartment and rent the 3 bedroom bungalow to a family from the housing wait list!

4) Parking:

All parking provisions will align with the by-laws announced last May. The challenge with overcrowded parking often stems from existing illegal multi-res homes. They fall outside of the purview of this new program.

In addition, in my experience, many if not most of the tenants secured through the housing wait list did not have a vehicle. Those that did usually had a smaller car due to budget restrictions. This reality will increase ridership on public transit.

5) Damage:

Councillor Pauls referenced my mention of Halton Region providing funding for any damage tenants caused as part of their agreement with landlords. Over almost ten years I never had to request funds for damages. Because the tenants have an agreement with the landlord as well as an agreement with the housing provider (Halton Region) they do not want to risk losing their rent subsidy and as a result they:

- a) Pay their rent on time every time
- b) Respect and take care of the property including their apartment, common area and grounds.
- c) Respect and relate well with other residents on the property and in the neighbourhood.

When neighbours heard what we were doing to support families in need they came forward to help the new residents by planting trees and flowers and building friendships along the way!

6) Vacancy rent payment:

While Halton Region contractually signed to cover up to 2 months of vacancy between tenants leaving and entering the units, the longest vacancy I have experienced is **2 weeks**. Once one tenant announces they are leaving (usually to get market-rent housing) another tenant is selected and is ready to move in immediately.

I welcome the opportunity to help inform and inspire Hamilton homeowners to invest in their homes and invest in helping individuals and families on our housing wait list through the creation of legal secondary suites. Please let me know if I can assist in any way.

Thanks very much,

Garth Brown



IBI GROUP
 200 East Wing – 360 James Street North
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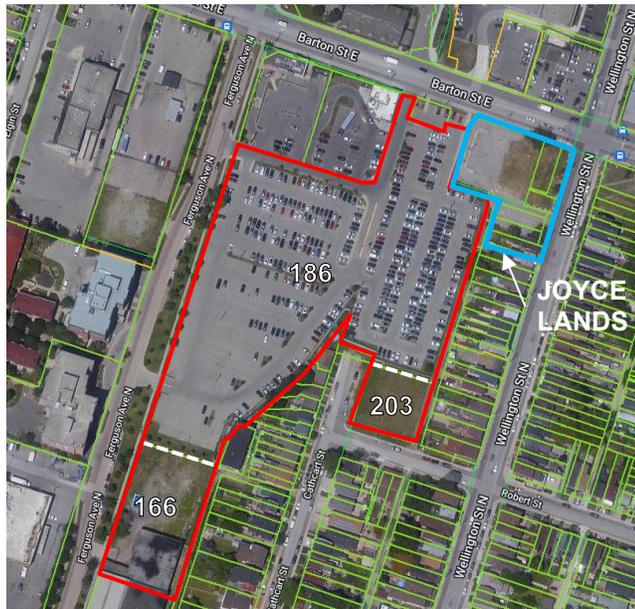
April 4, 2022

Legislative Coordinator
 Planning Committee
 City of Hamilton
 71 Main Street West, 1st Floor
 Hamilton, ON L8P 4Y5

Dear Planning Committee & Council:

UPHOPA-20-08 & ZAC-20-013
ADJACENT PROPERTY COMMENTS

On behalf of our client B&F Investments (Nova Scotia) Company and 201 Robert Street Company; the property owner of 166 & 186 Ferguson Avenue North and 203 Robert Street, please accept this as our written comments in regard to this project. For reference; provided below is an airphoto map showing our clients lands (in red) and the Joyce property lands (in blue).



Our client has recently finalized a master concept plan for the adjacent lands to the proposed Joyce development and submitted a Formal Consultation Request on March 24, 2022. The proposed development of our client's land is slightly behind in the planning process compared to the Joyce lands but would like to provide our comments to the proposed development being presented to Planning Committee (April 5th, 2022).

It is important to note that we do not oppose the development as it represents intensification at a key intersection and will better utilize the lands as they sit vacant to date. Our suggestion; in regard to layout and building design would be as follows:

Ms. Shannon McKie – March 24, 2022

- Provide a 0.0m side yard setback at the west property line that is shared with our client's lands; and,
- Increase the height of the tower at the corner of the building.

These above suggestions would provide for a more continuous, cohesive, safe and cleanly streetscape along Barton Street East as well as providing a more visually appealing building height transition from the proposal at 166 & 186 Ferguson Avenue North to the Joyce development. We trust the above will be contemplated in future design implementation and hope to have future liaison with both property owners, working together to provide a continuous and vibrant redevelopment in an area of Hamilton which is greatly needed.

Yours truly,
IBI Group

Brianne McIntosh

Brianne McIntosh | CPT
Project Coordinator

Cc: *Jennifer Allen, Planner II | City of Hamilton*
B&F Investments (Nova Scotia) Company and 201 Robert Street Company | client

Clarington

If this information is required in an alternate format, please contact the Accessibility Co-ordinator at 905-623-3379 ext. 2131

April 5, 2022

To All Ontario Municipalities:

Re: Correspondence Regarding the Municipality of Clarington's Comprehensive Zoning By-law Review Project, Zone Clarington

File Number: PG.25.06

At a meeting held on April 4, 2022, the Council of the Municipality of Clarington approved the following Resolution #PD-037-22:

That the correspondence arising from the following Resolution, #C-398-21, passed on December 13, 2021, be forwarded directly to all municipalities in Ontario.

“Whereas rural property owners and farmers in Clarington and across the Province are affected by the natural heritage system mapping;

And Whereas the mapping of natural heritage systems conflicts between the Greenbelt Natural Heritage System, Conservation Authority mapping, official plan mapping, and zoning bylaw mapping;

And Whereas the over-reach of natural heritage system mapping often results in environmental protection designations which are not justified, and are not protecting natural heritage features, and which negatively affects thousands of rural property owners and farmers;

And Whereas municipalities which are engaged in official plan updates and zoning bylaw updates have no clear direction on natural heritage systems mapping from the Province;

And Whereas a thorough investigation into the designated natural heritage systems by the provincial ministries are desperately needed immediately to ensure appropriate mapping is done and the designations are indeed accurate;

Now therefore be it resolved that:

1. The Provincial Government be requested to issue a cease and desist order on all updates to Natural Heritage System designations in official plans and zoning bylaws, thereby pausing the updates until a review of same by the province can be completed.
2. Clarington not proceed further with any revisions to its natural heritage system in its zoning bylaw pending the provincial review.
3. A copy of this resolution be forwarded to:
 - a) The Minister of Municipal Affairs and Housing;
 - b) The Minister of the Environment, Parks and Conservation;
 - c) All Durham MPP's;
 - d) The Region of Durham and all Durham municipalities; and
 - e) AMO for distribution to all rural municipalities.”

Yours truly,



John Paul Newman
Deputy Clerk

JPN/lp

c: R. Windle, Director of Planning and Development Services
A. Burke, Senior Planner



4.7

Doug Ford, Premier of Ontario
premier@ontario.ca (Sent via email)

April 1st 2022

Re: Funding Supports for Infrastructure Projects – Bridge / Culvert Replacements in Rural Municipalities

Please be advised that on March 30th 2022 the Town of Plympton-Wyoming Council passed the following motion supporting the Township of Clearview regarding their resolution for Funding Supports for Infrastructure Projects – Bridge / Culvert Replacements in Rural Municipalities (attached).

Motion 18

Moved by Gary Atkinson

Seconded by Mike Vasey

That Council support correspondence item 'n' from Township of Clearview regarding Funding Supports for Infrastructure Projects – Bridge / Culvert Replacements in Rural Municipalities.

Motion Carried.

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at dgiles@plympton-wyoming.ca.

Sincerely,

Denny Giles
Deputy Clerk
Town of Plympton-Wyoming

Cc: (all sent via e-mail)

Hon. Peter Bethenfalvy, Ontario Minister of Finance minister.fin@ontario.ca

Hon. Chrystia Freeland, Federal Minister of Finance chrystia.freeland@fin.gc.ca

ROMA roma@roma.on.ca

AMO amo@amo.on.ca

All Ontario Municipalities

The Corporation of the Town of Plympton-Wyoming

P.O Box 250, 546 Niagara Street, Wyoming Ontario N0N 1T0

Tel: 519-845-3939 Ontario Toll Free: 1-877-313-3939

www.plympton-wyoming.com



CLEARVIEW

February 9, 2022

C00.2022

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Sent by Email: premier@ontario.ca

Re: Funding Support for Infrastructure Projects – Bridge/Culvert Replacements in Rural Municipalities

Please be advised that Council of the Township of Clearview, at its meeting held on February 7, 2022, passed the following resolution regarding funding support for infrastructure projects:

Resolution:

Moved by Deputy Mayor Burton, Seconded by Councillor Broderick, Be It Resolved that Council of the Township of Clearview supports the requests from the Township of Adjala-Tosorontio, the Township of Adelaide-Metcalf, the Township of Lake of Bays, the Township of Amaranth, and Northumberland County for the Federal and Provincial Governments to provide more funding to rural municipalities to support infrastructure projects related to major bridge and culvert replacements; and,

That this resolution be forwarded to the Premier of Ontario, Provincial Minister of Finance, Federal Finance Minister, AMO, ROMA, and all Ontario municipalities.
Motion Carried.

If you have any questions regarding the above, please do not hesitate to contact the undersigned.

Regards,

[Redacted Signature]
Sasha Helmkey, B.A., Dipl. M.A., AOMC
Clerk/Director of Legislative Services

cc: Hon. Peter Bethenfalvy, Ontario Minister of Finance minister.fin@ontario.ca
Hon. Chrystia Freeland, Federal Minister of Finance chrystia.freeland@fin.gc.ca
AMO amo@amo.on.ca
ROMA roma@roma.on.ca
All Ontario Municipalities



BOARD OF HEALTH REPORT 22-004

9:30 a.m.

Monday, April 4, 2022

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

Present: Mayor F. Eisenberger
Councillors M. Wilson (Vice-Chair), J. Farr, N. Nann, S. Merulla, R. Powers, T. Jackson, J.P. Danko, B. Clark, M. Pearson, B. Johnson, L. Ferguson, A. VanderBeek and J. Partridge

**Absent with
Regrets:** Councillors E. Pauls, T. Whitehead – Personal

THE BOARD OF HEALTH PRESENTS REPORT 22-004 AND RESPECTFULLY RECOMMENDS:

1. **Correspondence from Anita Dubeau, Board of Health Chair, Simcoe Muskoka District Health Unit, respecting a Response to the Opioid Crisis in Simcoe Muskoka and Ontario-wide (Item 5.1)**

That the Correspondence from Anita Dubeau, Board of Health Chair, Simcoe Muskoka District Health Unit, respecting a Response to the Opioid Crisis in Simcoe Muskoka and Ontario-wide, be endorsed and referred to staff for a review and a report back to the Board of Health.

2. **Annual Service Plan and Budget 2022 - Amendment to Recovery Related Costs (BOH22003(a)) (City Wide) (Item 10.1)**

That the Board of Health authorize and direct the Medical Officer of Health to submit an amendment to the one-time funding request for recovery and catch-up (included in the 2022 Annual Service Plan and Budget) to the Ministry of Health in keeping with what is outlined in Report BOH22003(a).

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES (Item 1)

There were no ceremonial activities.

(b) CHANGES TO THE AGENDA (Item 2)

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

9. DELEGATIONS - WITHDRAWN

9.1 Lisa Chalapenko, respecting Provincial Vaccine Mandates (approved at the March 21, 2022 meeting)

9.2 Dr. J. Tiessen, respecting Provincial Vaccine Mandates (approved at the March 21, 2022 meeting)

The agenda for the April 4, 2022 Board of Health was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 3)

None

(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) March 21, 2022 (Item 4.1)

The Minutes of March 21, 2022 were approved, as presented.

(e) STAFF PRESENTATIONS (Item 8)

(i) Overview of COVID-19 Activity in the City of Hamilton 11 Mar 2020 to Present (Item 8.2)

Dr. E. Richardson, Medical Officer of Health; Melissa Biksa, Manager, Healthy and Safe Communities; Ruth Sanderson, Epidemiologist - COVID-19; and Erin Rodenburg, Epidemiologist, addressed the Board with an Overview of COVID-19 Activity in the City of Hamilton 11 Mar 2020 to present, with the aid of a PowerPoint presentation.

The Presentation respecting an Overview of COVID-19 Activity in the City of Hamilton 11 Mar 2020 to present, were received.

(f) ADJOURNMENT (Item 15)

There being no further business, the Board of Health be adjourned at 10:37 a.m.

Respectfully submitted,

Mayor F. Eisenberger,
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk



**PUBLIC WORKS COMMITTEE
REPORT 22-005**

1:30 p.m.

Monday, April 4, 2022

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors N. Nann (Chair), R. Powers (Vice-Chair), J.P. Danko, J. Farr, L. Ferguson, T. Jackson, E. Pauls, M. Pearson and A. VanderBeek

**Absent with
Regrets:** Councillor S. Merulla – City Business
Councillor T. Whitehead – Personal

Also Present: Councillors B. Clark and M. Wilson

**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 22-005 AND
RESPECTFULLY RECOMMENDS:**

**1. Ministry of Transportation Provincial Highway Projects Update
(PW20063(a)) (City Wide) (Item 7.1)**

That Report PW2220063(a) respecting the Ministry of Transportation Provincial Highway Projects Update, be received.

**2. 2020 Bridge Ontario Structure Inspection Manual Summary Reports
(PW22020) (City Wide) (Item 7.2)**

That Report PW22020, respecting 2020 Bridge Ontario Structure Inspection Manual Summary Reports, be received.

**3. Addressing Traffic Speed and Volume on Harbour Front Drive (PW22017)
(Ward 2) (Item 10.1)**

That the following roadway safety improvements be approved and implemented along Harbour Front Drive at a total cost of \$40,000.00 funded from the Ward 2 Area Rating Reserve, Dept. ID 108052:

- (i) One speed cushion on Harbour Front Drive located approximately 80 metres north of Bay Street, a yellow centreline for the entirety of Harbour

Front Drive, and cyclist wayfinding signage completed in 2022 at an estimated total cost of \$10,000; and

- (ii) A Type D Pedestrian Crossover (PXO) and raised crosswalk, on Harbour Front Drive at the marina access roadway with appropriate pedestrian connection to the Bayfront Park west parking lot, designed in 2022 and constructed in 2023 at an estimated cost of \$30,000.

4. Red Light Camera Program - New Sites for 2022 (PW22018) (City Wide) (Item 10.2)

That the following locations be approved for the installation of red-light cameras in 2022:

- (a) Paramount Drive and Winterberry Drive – Eastbound (Ward 9);
- (b) Highway 8 and Gray Road – Eastbound (Ward 10);
- (c) Barton Street and Fruitland Road – Eastbound (Ward 10);
- (d) Upper James Street and Airport Road East – Southbound (Ward 11);
- (e) Garner Road East and Southcote Road – Westbound (Ward 12);
- (f) Wilson Street West and Highway 52/Trinity Road South – Northbound (Ward 12);
- (g) Cootes Drive and Dundas Street/East Street North – Westbound (Ward 13);
- (h) Stone Church Road West and Upper Paradise Road – Southbound (Ward 14);
- (i) Garth Street and Fennell Avenue West/Scenic Drive – Northbound (Wards 8/14); and,
- (j) Highway 5 East and Hamilton Street North – Westbound (Ward 15).

5. Truck Route Sub-Committee Report 22-001, March 28, 2022 (Item 10.3)

(i) Truck Route Master Plan Update (PED19073(c)) (City Wide) (Item 8.1)

- (a) That “Alternative Five - Ring Road Concept with Positive Guidance Concept” attached as Appendix "A" to Truck Route Sub-Committee Report 22-001 be adopted as the Recommended Truck Route Network;
- (b) That the Draft October 29, 2021 City of Hamilton Truck Route Master Plan (TRMP) Update, attached as Appendix "A" to Truck Route Sub-Committee Report 22-001 from November 29, 2021, be amended to reflect the Ring Road Concept with Positive Guidance Concept Recommended Truck Route Network;

- (c) That the General Manager of the Planning and Economic Development Department be authorized to file the City of Hamilton Truck Route Master Plan (TRMP) Update as amended with the Municipal Clerk for a minimum thirty-day public review period to formally complete the Class Environmental Assessment (EA) process;
- (d) That the Transportation Operations and Maintenance (TOM) Division develop a truck route signing implementation strategy and that the estimated cost of \$350 K for signage modifications and installations be funded from the Unallocated Capital Levy Reserve Account #108020;
- (e) That the Transportation Operations and Maintenance (TOM) Division prepare an amendment to the City of Hamilton Traffic By-law 01-215 for consideration by Council to incorporate the Recommendations within the Truck Route Master Plan (TRMP) Update;
- (f) That, where truck routes have been identified along various roads within the Recommended Truck Route Network (TRN) - Future Conditions, as presented in Appendix "A" attached to Truck Route Sub-Committee Report 22-001, that these roadways are planned and designed with the appropriate roadway and pavement structure to support truck movement and reflect a Complete-Livable-Better Streets and Vision Zero approach;
- (g) That Hamilton Police Services (HPS) be requested to review and develop an enhanced commercial vehicle enforcement strategy in collaboration with Transportation Planning (TP) and Transportation Operation and Maintenance (TOM);
- (h) That staff be directed to develop a framework and associated criteria that can be used to evaluate changes to the approved Truck Route Network in order to inform future revisions to the truck route network; and
- (i) That the criteria be presented to the Truck Route Sub-Committee by Q3 2022 with the results of the evaluation being completed no later than 2024.

(ii) **Initiation of Municipal Class Environmental Assessment for a new arterial roadway in Glanbrook connecting the Airport Employment Growth District to the Red Hill Business Park (Added Item 11.1)**

WHEREAS, effective goods movement supports local, regional and international markets and contributes to Hamilton's economic prosperity and growth;

WHEREAS, a new arterial roadway connecting Highway 6 South between the Airport Employment Growth District (AEGD) and the Red Hill Business Park and the broader Provincial highway system, which would improve the efficiency of moving goods while mitigating impacts of truck traffic on existing rural roadways in Glanbrook;

WHEREAS, the 2018 City-wide Transportation Master Plan identifies a conceptual link within the strategic road network map to connect the Hamilton International Airport and employment growth district to the Provincial Highway Network;

WHEREAS, a new arterial roadway would provide efficient connectivity between employment lands, intermodal hubs and the highway system and fills a gap in the goods movement network in the Glanbrook area;
WHEREAS, a new arterial roadway would assist in minimizing the impact of heavy-freight vehicles on the quality of life of residents within rural communities;

WHEREAS, growth in employment lands could be supported by improved inter-connectivity through a combination of new transportation corridors, road capacity enhancements and/or urbanization of rural cross-sections;

THEREFORE, BE IT RESOLVED:

That staff be directed to develop a Terms of Reference for a Municipal Class Environmental Assessment for an arterial roadway link between the Airport Employment Growth District (AEGD) and the Red Hill Business Park and that funding to complete the study be considered as part of the 2023 Capital Budget.

6. Installation of Speed Cushions as a Traffic Calming Measure on Princeton Drive (Ward 6) (Item 11.1)

WHEREAS, residents are requesting the installation of speed cushions on Princeton Drive in Ward 6 to address roadway safety concerns as a result of speeding and cut-through traffic; and

WHEREAS, a petition was submitted by residents requesting the installation of speed cushions as a traffic calming measure.

THEREFORE, BE IT RESOLVED:

- (a) That Transportation and Operations Maintenance staff be authorized and directed to install 3 speed cushions as a traffic calming measure on Princeton Drive as part of the 2022 Traffic Calming Program's spring application, as follows;
 - (i) between Sherwood Rise to Margate Avenue;
 - (ii) between Margate Avenue to Valecrest Avenue; and
 - (iii) between Valecrest Avenue to Donlea Drive.
- (b) That all costs associated with the installation of traffic calming measures at these locations be funded from Project ID 4031911606, to be completed under contract # C15-12-22 at an upset limit, including contingency, not to exceed \$21,000; and
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

7. Main Street East and King Street East (Delta) In-Service Road Safety Review, Hamilton (Ward 3) (Added Item 11.2)

WHEREAS, the City of Hamilton Vision Zero Action Plan 2019-2025 identifies that no loss of life is acceptable, and that traffic fatalities and injuries are preventable;

WHEREAS, ensuring the safety of vulnerable road users is a priority;

WHEREAS, on March 19, 2022 four people lost their lives, including three pedestrians, in a motor vehicle collision on King Street East near the delta intersection;

WHEREAS, Ward 3 residents have expressed safety concerns as pedestrians for this intersection; and

WHEREAS, the Transportation Operations & Maintenance Division is facilitating an in-service road safety review of the Main Street East and King Street East (delta) intersection to identify possible safety enhancements.

THEREFORE, BE IT RESOLVED:

- (a) That upon the conclusion of the Main Street East and King Street East in-service road safety review that the Transportation Operations & Maintenance Division report back to the Public Works Committee with the review's findings inclusive of costs and a proposed implementation plan; and
- (b) That the Main Street East and King Street East in-service road safety review findings be shared with the City's LRT office for consideration and to identify if any of the proposed safety enhancements could be incorporated into the redesign of the intersection.

8. Main Street West at Dundurn Street South and King Street West at Dundurn Street South Intersection Road Safety Plan, Hamilton (Ward 1) (Added Item 11.3)

WHEREAS, the City of Hamilton Vision Zero Action Plan 2019-2025 identifies that no loss of life is acceptable, and that traffic fatalities and injuries are preventable;

WHEREAS, ensuring the safety of vulnerable road users is a priority;

WHEREAS, on March 30, 2022 a teenaged pedestrian was struck and critically injured in a collision at the intersection of Main Street West and Dundurn Street South;

WHEREAS, the intersections of Main Street West at Dundurn Street South and King Street West at Dundurn Street South are identified as intersections with a high frequency of collisions in the 2020 Annual Collision Report; and

WHEREAS, the Transportation Operations & Maintenance Division has conducted roadway safety video analytic examinations of the Main Street West at Dundurn Street South and King Street West at Dundurn Street South intersections in 2021 and is facilitating an in-service road safety review of both intersections jointly to identify possible safety enhancements.

THEREFORE, BE IT RESOLVED:

- (a) That upon the conclusion of the Main Street West at Dundurn Street South and King Street West at Dundurn Street South intersection road safety review that the Transportation Operations & Maintenance Division report back to the Public Works Committee with the review's findings inclusive of costs and a proposed implementation plan; and

- (b) That the Main Street West at Dundurn Street South and King Street West at Dundurn Street South intersection road safety review findings be shared with the City's LRT office for consideration and to identify if any of the proposed safety enhancements could be incorporated into the design of the LRT corridor, if applicable.

9. Transit Maintenance & Storage Facility - Policy 11 Contract Extension and Phase 2 Award (Contract Administration Services) (PW19006(a)) (City Wide) (Item 14.2)

- (a) That Report PW19006(a), respecting Transit Maintenance & Storage Facility - Policy 11 Contract Extension and Phase 2 Award (Contract Administration Services), be received.
- (b) That Report PW19006(a), respecting Transit Maintenance & Storage Facility - Policy 11 Contract Extension and Phase 2 Award (Contract Administration Services), remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

7. CONSENT ITEMS

- 7.3 Waste Management Advisory Committee Minutes - December 16, 2021

12. NOTICES OF MOTION

- 12.1 Main Street East and King Street East (Delta) In-Service Road Safety Review, Hamilton (Ward 3)
- 12.2 Main Street West at Dundurn Street South and King Street West at Dundurn Street South Intersection Road Safety Plan, Hamilton (Ward 1)
- 12.3 Replacement of Deficient Sidewalk, Curbs and Driveway Approaches (Ward 1)

The agenda for the March 21, 2022 Public Works Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) March 21, 2022 (Item 4.1)

The Minutes of the March 21, 2022 meeting of the Public Works Committee were approved, as presented.

(d) CONSENT ITEMS

(i) Waste Management Advisory Committee Minutes - December 16, 2021 (Item 7.3)

The Waste Management Advisory Committee Minutes of December 16, 2021, were received.

(e) NOTICES OF MOTIONS (Item 12)

(i) Main Street East and King Street East (Delta) In-Service Road Safety Review, Hamilton (Ward 3) (Item 12.2)

Councillor Nann relinquished the Chair to Councillor Powers in order to introduce the following motion:

The Rules of Order were waived to allow for the introduction of a motion respecting Main Street East and King Street East (Delta) In-Service Road Safety Review, Hamilton (Ward 3).

For further disposition of this matter, refer to Item 7.

Councillor Nann assumed the Chair.

(ii) Main Street West at Dundurn Street South and King Street West at Dundurn Street South Intersection Road Safety Plan, Hamilton (Ward 1) (Item 12.2)

The Rules of Order were waived to allow for the introduction of a Motion respecting Main Street West at Dundurn Street South and King Street West at Dundurn Street South Intersection Road Safety Plan, Hamilton (Ward 1).

For further disposition of this matter, refer to Item 8.

(iii) Replacement of Deficient Sidewalk, Curbs and Driveway Approaches (Ward 1) (Item 12.3)

Councillor VanderBeek introduced the following Notice of Motion:

WHEREAS, the Transportation Operations & Maintenance Division, reviewed Sanders Boulevard, Pearl Street South, Kent Street, Breadalbane and several other streets in Ward 1 and determined that there are areas requiring sidewalk (1845 sq. m), curb (56 m) and/or driveway apron (152 m) repairs;

WHEREAS, the City of Hamilton is committed to creating safe neighbourhoods and vibrant communities.

THEREFORE, BE IT RESOLVED:

- (a) That removal and replacement of sidewalk, curb, driveway approaches at deficient areas on streets such as, but not limited to Sanders Boulevard, Pearl Street S, Kent Street, Breadalbane Street be approved to be completed under contract C15-31-19;
- (b) That concrete and asphalt repairs to be funded from the Ward 1 Capital Re-Investment Reserve Fund (#108051) at an upset limit, including contingency, not to exceed \$240,000, be approved; and
- (c) That the Mayor and City Clerk be authorized and directed to approve and execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

(f) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List (Item 13.1)

The following amendments to the Public Works Committee's Outstanding Business List, were approved.

- (a) Items Considered Complete and Needing to be Removed (Item 13.1 (a)):
 - (i) Addressing Traffic Speed and Volume on Harbour Front Drive
Addressed as Item 10.1 on today's agenda - Report Pw20063(a)
Item on OBL: ACF

- (ii) Truck Route Master Plan Update
Addressed as Item 10.3 on today's agenda - Truck Route
Sub-Committee Report 22-001, March 28, 2022
Item on OBL: ACI

(b) Items Requiring a New Due Date (Item 13.1 (b)):

- (ii) Ward 1 Multi-Modal Connections Review
Item on OBL: ABD
Current Due Date: March 21, 2022
Proposed New Due Date: May 16, 2022

(g) PRIVATE AND CONFIDENTIAL (Item 14)

Committee determined that discussion of items 14.1 and 14.2 was not required in Closed Session, so the items were addressed in Open Session, as follows:

(i) Closed Session Minutes – March 21, 2022 (Item 14.1)

- (a) The Closed Session Minutes of the March 21, 2022 Public Works Committee meeting, were approved; and
- (b) The Closed Session Minutes of the March 21, 2022 Public Works Committee meeting, remain confidential.

(h) ADJOURNMENT (Item 15)

There being no further business, the meeting adjourned at 3:20 p.m.

Respectfully submitted,

Councillor N. Nann, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk



**PLANNING COMMITTEE
REPORT
22-005**

April 5, 2022
9:30 a.m.

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

Present: Councillors B. Johnson (Chair)
L. Ferguson (1st Vice Chair), M. Wilson (2nd Vice Chair),
M. Pearson, J. Farr, J.P. Danko and J. Partridge

**THE PLANNING COMMITTEE PRESENTS REPORT 22-005 AND RESPECTFULLY
RECOMMENDS:**

1. **Application for a Zoning By-law Amendment for Lands Located at 386 Wilcox Street, Hamilton (PED22079) (Ward 3) (Item 9.3)**
 - (a) That Amended Zoning By-law Amendment Application ZAC-22-009, by MHBC Planning on behalf of Stelco Inc., for a further modification to the General Industrial (M5, 433) Zone to the General Industrial (M5, 433, H123) Zone to add a Holding Provision on lands located at 386 Wilcox Street (Hamilton), as shown on Appendix "A" to Report PED22079, be APPROVED on the following basis:
 - (a) That the draft By-law, attached as Appendix "B" to Report PED22079, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (b) 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;
 - (c) That Schedule "D" – Holding Provisions, of Zoning By-law No. 05-200; be amended by adding the following Holding Provisions as follows:

"123. Notwithstanding Section 9.5 and Special Exception No. 433 of this By-law, within the lands zoned General Industrial (M5, 433) Zone identified on Map Nos. 749, 750, 751, 789, 790, 791, 830,

831, 832, 872, 873, 874, 915 and 916 of Schedule “A” – Zoning Maps and described as 386 Wilcox Street, development shall be restricted in accordance with the following:

- (i) For such time as the Holding Provision is in place, these lands shall only be used for permitted uses, buildings and structures listed in the (M5, 433) Zone;
- (ii) Regulations

For such time as the Holding Provision is in place, these lands shall be subject to the regulations of the (M5, 433) Zone and the following regulations:

- (1) New development, including the establishment of uses permitted by the (M5,433) Zone, and additions or alterations to existing buildings shall be permitted to a maximum of 1,000 square metres, in accordance with the provisions of Zoning By-law No. 05-200;
 - (2) Issuance of Demolition Permits shall be permitted, to the satisfaction of the Chief Building Official;
 - (3) Relocation of existing buildings and structures on site shall be permitted provided there is no increase in Gross Floor Area with the exception to additions and alterations up to a maximum of 1,000 square metres as set out in a) above, to the satisfaction of the Chief Building Official;
 - (4) Site remediation and earthworks shall be permitted, to the satisfaction of the Director of Growth Management;
- (iii) Conditions for Holding Provision Removal

The Holding Provision shall, upon Application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision, provided that the following conditions have been satisfied for such portion of the lands:

- (1) The Owner submits and receives approval of a Concept Plan for the lands, to the satisfaction of the Director of Planning and Chief Planner. The Concept Plan shall include the following:

- (aa) Precincts and the distribution of land uses and buildings within each precinct;
 - (bb) Road and rail network;
 - (cc) Phasing;
- (2) The Owner shall provide a Master Servicing Plan, including a Transportation Master Plan, for the retained and severed portion of the lands to the satisfaction of the Director of Growth Management and Director of Transportation and Parking. Furthermore, the Owner shall develop a Terms of Reference to complete the Master Servicing Plan and Transportation Master Plan to the satisfaction of the Director of Growth Management and Director of Transportation and Parking;
 - (3) The Owner enter into and register on title a Joint Use Agreement and/or Development Agreement (if required) to implement the Master Servicing Plan, to the satisfaction of the Director of Growth Management;
 - (4) The Owner submits and receives approval of an Implementation Strategy to illustrate how the Concept Plan and Master Servicing Plan, including a Transportation Master Plan, may be implemented through additional Planning Act approvals such as Draft Plan of Subdivision, Draft Plan of Condominium and/or Applications for Site Plan Control all to the satisfaction of the Director of Planning and Chief Planner, Director of Transportation and Parking and Director of Growth Management.
- (b) That there were no public submissions received regarding this matter.

2. Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, Hamilton (PED22062) (Ward 2) (Item 9.4)

- (a) That Amended Official Plan Amendment Application UHOPA-20-008 by Urban Solutions Planning and Land Development Consultants Inc. c/o Sergio Manchia, on behalf of 467052 Ontario Limited c/o Steve Joyce, Owner, to redesignate a portion of the subject lands from “Low Density Residential” and a portion of the subject lands from “Local Commercial” to “Mixed Use” with a Special Policy Area in the City of Hamilton Official Plan, to permit a seven storey mixed use building with commercial uses

on the ground floor, professional offices and professional medical offices on the second floor and residential dwelling units on the upper storeys, for lands located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, as shown on Appendix “A” attached to Report PED22062, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22062, 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-20-013 by Urban Solutions Planning and Land Development Consultants Inc. c/o Sergio Manchia, on behalf of 467052 Ontario Limited c/o Steve Joyce, Owner, for a change in zoning from the “JJ/S-378” (Restricted Light Industrial) District, Modified, “H” (Community Shopping and Commercial, Etc.) District, “H/S-1259” (Community Shopping and Commercial, Etc.) District, Modified and “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District to a site specific Mixed Use Medium Density – Pedestrian Focus (C5a, 774, H124) Zone to permit a mixed use building with a maximum building height of 25 metres (seven storeys) with 845.64 square metres of ground floor commercial space, 749.52 square metres of office on the second floor, 79 residential dwelling units on the upper floors and a total of 86 parking spaces for lands located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, as shown on Appendix “A” attached to Report PED22062, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED22062, 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), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. _____;
 - (iii) That Schedule “D” – Holding Provisions, of Zoning By-law No. 05-200; be amended by adding the following Holding Provisions as follows:
 - H124. Notwithstanding Section 10.5a of this By-law, within lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone on Map No. 952 on Schedule “A” – Zoning Maps, and

described as 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, Hamilton, no development shall be permitted until such time as:

1. The Owner submit and receive completion of a signed Record of Site Condition being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP) or enters into a conditional building permit agreement with respect to completing a Record of Site Condition. This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton's current RSC administration fee;
 2. The Owner agrees in a signed Site Plan Agreement to implement all required noise mitigation measures identified in the Environmental Noise Feasibility Study dated November 22, 2019 by RWDI and updated July 26, 2021, to the satisfaction of the Director of Planning and Chief Planner;
 3. The Owner agrees in a signed Site Plan Agreement, to provide notice to any subsequent owner, as well as any prospective purchasers or tenants that the dwellings are located in a Class 4 Area, and to agree to register this notice and any / all warning clauses on title, and include them in any purchase and sale and in any lease or rental agreement, to the satisfaction of the Director of Planning and Chief Planner;
- (c) That Council deem the lands at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North (see Appendix "A" attached to Report PED22062) as a Class 4 Area pursuant to the Ministry of the Environment, Conservation and Parks' (MECP) Noise Guidelines NPC-300 (Stationary and Transportation Sources – Approval and Planning), and that the Class 4 Area designation apply only to the development proposal attached as Appendix "E" to Report PED22062 with the requirement that all noise mitigation and warning clauses be secured through the Holding Provision attached to the implementing Zoning By-law as specified in Section (b)(iii) b, and c. outlined above;
- (d) That upon finalization of the amending By-law, the subject lands be redesignated from "Single and Double" and "Commercial" to "Commercial and Apartments" in the Beasley Neighbourhood Plan.

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

3. Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 392, 398, 400, 402, 406, and 412 Wilson Street East and 15 Lorne Avenue (Ancaster) (PED22070) (Ward 12) (9.5)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-22-004, by Wilson St. Ancaster Inc. (c/o Giovanni Fiscaletti, Applicant / Owner), to amend the Ancaster Wilson Street Secondary Plan to redesignate the lands located at 15 Lorne Avenue from “Low Density Residential 1” designation to “Mixed Use - Medium Density” designation with a “Pedestrian Focus”; and, to establish a Site Specific Policy to permit an eight storey mixed use development with a maximum density of 220 units per hectare and provide for the relocation of the existing designated heritage building from 398 Wilson Street East to 15 Lorne Avenue, on lands located at 392, 398, 400, 402, 406, and 412 Wilson Street East, as shown on Appendix “A” attached to Report PED22070, be DENIED on the following basis:
 - (i) That the proposed amendment does not meet the general intent of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan with respect to the following matters: right-of-way dedications, building height, residential density, massing, privacy, overlook, setbacks, and compatibility with and enhancement of the character of the existing neighbourhood.
 - (ii) The mass, height, and bulk of the proposal is not considered to be good planning and is considered an overdevelopment of the site;
- (b) That Zoning By-law Amendment Application ZAC-22-011, by Wilson St. Ancaster Inc. (c/o Giovanni Fiscaletti, Applicant / Owner), to change the zoning from the Existing Residential “ER” Zone, the Mixed Use Medium Density - Pedestrian Focus (C5a, 570) Zone, and the Mixed Use Medium Density - Pedestrian Focus (C5a, 570, 651) Zone to a modified Mixed Use Medium Density - Pedestrian Focus (C5a) Zone, to permit an eight storey mixed use development with a maximum density of 220 units per hectare, with 1,677 m² of at grade commercial space and 169 dwelling units above with 55 surface parking spaces and 257 underground parking spaces, on lands located at 392, 398, 400, 402, 406, and 412 Wilson Street East and to relocate the existing designated heritage building on the lands located at 398 Wilson Street East to the lands located at 15 Lorne Avenue, as shown on Appendix “A” attached to Report PED22070, be DENIED on the following basis:

- (i) That the proposed change in zoning does not meet the general intent of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan with respect to building height, setbacks, and massing;
 - (ii) That the proposal does not meet the general intent of the Zoning By-law with regards to allowable building height, setbacks, minimum side yard, planting strip;
 - (iii) That the proposal is not considered to be good planning and is considered an overdevelopment of the site.
- (c) That the public submissions regarding this matter were received and considered by the Committee in denying the application.

4. Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Town of Ancaster Zoning By-law No.87-57, Town of Flamborough Zoning By-law No. 90-145-Z, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92. (CI 22-C) (PED22046) (City Wide) (Item 9.6)

- (a) That approval be given to City Initiative CI 22-C for modifications and updates to the City of Hamilton Zoning By-law No. 05-200 on the following basis:
- (i) That the Draft By-law, attached as Appendix “A” to Report PED22046, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP);
 - (iii) That the proposed changes in zoning will be in conformity with the Rural Hamilton Official Plan (RHOP) upon approval of Draft Rural Hamilton Official Plan Amendment No.____ (Appendix “B” attached to Report PED22047);
 - (iv) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Greenbelt Plan, 2017;
- (b) That approval be given to City Initiative CI 22-C for modifications to the Town of Ancaster Zoning By-law No. 87-57 on the following basis:

- (i) That the Draft By-law, attached as Appendix “B” to Report PED22046, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Greenbelt Plan, 2017;
- (c) That approval be given to City Initiative CI 22-C for updates to the Town of Flamborough Zoning By-law No. 90-145-Z on the following basis:
- (i) That the Draft By-law, attached as Appendix “C” to Report PED22046, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Greenbelt Plan, 2017;
- (d) That approval be given to City Initiative C1 22-C for updates to the City of Hamilton Zoning By-law No. 6593 on the following basis:
- (i) That the Draft By-law, attached as Appendix “D” to Report PED22046, which has been prepared in a form satisfactory to the City Solicitor, be held in abeyance until such time as By-law No. 21-249 is in force and effect;
 - (ii) That staff be directed to bring forward the draft By-law, attached as Appendix “D” to Report PED22046, for enactment by Council, once By-law No. 21-249 is in force and effect;
 - (iii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP);
 - (iv) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the Greenbelt Plan, 2017;

- (e) That approval be given to City Initiative CI 22-C for updates to the City of Stoney Creek Zoning By-law No. 3692-92 on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E” to Report PED22046, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Greenbelt Plan, 2017.
- (f) That the public submissions regarding this matter were received and considered by the Committee in approving the application.

5. Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED22047) (City Wide) (Item 9.7)

- (a) That City Initiative CI-22-B – Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan, to amend policies, schedules and maps in Volume 1 – Parent Plan, Volume 2 – Secondary Plans and Rural Settlement Area Plans of the UHOP and RHOP, correct and clarify policies and mapping, be APPROVED on the following basis:
 - (i) That the Draft Urban Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED22047, be adopted by Council;
 - (ii) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED22047, be adopted by Council;
 - (iii) That the proposed Official Plan Amendments are consistent with the Provincial Policy Statement (PPS), 2020 and conform to Growth Plan for the Greater Golden Horseshoe, 2019, as amended and the Greenbelt Plan, 2017.
- (b) That the public submissions regarding this matter were received and considered by the Committee in approving the application.

- 6. Entertainment on Outdoor Commercial Patios – Amendments to City of Hamilton Zoning By-law No. 05-200 and the Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Town of Glanbrook Zoning By-law No. 464, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92 (CI 22-D) (PED16155(c)) (City Wide) (Item 9.8)**
- (a) That approval be given to City Initiative CI 22-D to amend City of Hamilton Zoning By-law No. 05-200 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
 - (i) That the Draft By-law, attached as Appendix “A” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP), Rural Hamilton Official Plan, Hamilton-Wentworth Official Plan and City of Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended.
 - (b) That approval be given to City Initiative CI 22-D to amend Town of Ancaster Zoning By-law No. 87-57 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
 - (i) That the Draft By-law, attached as Appendix “B” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;
 - (c) That approval be given to City Initiative CI 22-D to amend Town of Dundas Zoning By-law No. 3581-86 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:

- (i) That the Draft By-law, attached as Appendix “C” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;
- (d) That approval be given to City Initiative CI 22-D to amend Town of Flamborough Zoning By-law No. 90-145-Z to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
- (i) That the Draft By-law, attached as Appendix “D” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019;
- (e) That approval be given to City Initiative CI 22-D to amend Town of Glanbrook Zoning By-law No. 464 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
- (i) That the Draft By-law, attached as Appendix “E” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019;

- (f) That approval be given to City Initiative CI 22-D to amend former City of Hamilton Zoning By-law No. 6593 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
 - (i) That the Draft By-law, attached as Appendix “F” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP), Rural Hamilton Official Plan, Hamilton-Wentworth Official Plan and City of Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019;
- (g) That approval be given to City Initiative CI 22-D to amend City of Stoney Creek Zoning By-law No. 3692-92 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
 - (i) That the Draft By-law, attached as Appendix “G” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019;
- (h) Subject to the approval of City Initiative CI 22-D, that Licensing and Bylaw Services staff be directed to report back to Planning Committee to amend Licencing By-law No. 07-170 by adding a condition stating business licence holders may not permit noise from commercial entertainment or commercial recreation on Outdoor Commercial Patios; and,
 - (i) That there were no public submissions received regarding this matter.

7. Temporary Use By-law to Zoning By-law No. 05-200 – Outdoor Commercial Patios and Temporary Tents (CI-20-F(4)) (PED20135(c)) (City Wide) (Item 9.9)

- (a) That approval be given to City Initiative-20-F(4) to establish a Temporary Use By-law for Zoning By-law No. 05-200, effective until March 31, 2025, to grant relief from and provide for additional locational permissions for

Outdoor Commercial Patios for the Downtown Central Business District (D1) Zone, Downtown Prime Retail Streets (D2) Zone, Downtown Mixed Use (D3) Zone, Community Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use High Density (C4) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density - Pedestrian Focus (C5a) Zone, District Commercial (C6) Zone, Arterial Commercial (C7) Zone, Mixed Use (TOC1) Zone, Local Commercial (TOC2) Zone, and Mixed Use High Density (TOC4) Zone within the City, on the following basis:

- (i) That the draft Temporary Use By-law, attached as Appendix “A” to Report PED20135(c), be approved by City Council;
 - (ii) That the draft Temporary Use By-law is consistent with the Provincial Policy Statement (PPS) 2020, conforms to the A Place to Grow Plan 2019, as amended, and complies with the Urban Hamilton Official Plan;
- (b) That approval be given to City Initiative-20-F(4) to establish a Temporary Use By-law for Zoning By-law No. 05-200, effective until March 31, 2025, to provide improved operational flexibility for local businesses and institutional operations (specifically places of worship, hospitals, and educational establishments), by permitting the erection of temporary tents for six consecutive months for certain commercial zones, uses permitted in the Community Park (P2) Zone and the City Wide (P3) Zone, certain institutional uses in institutional zones, and certain commercial uses and accessory commercial uses to a permitted use in certain industrial zones within the City, on the following basis:
- (i) That the draft Temporary Use By-law, attached as Appendix “B” to Report PED20135(c), be approved by City Council;
 - (ii) That the draft Temporary Use By-law is consistent with the Provincial Policy Statement (PPS) 2020, conforms to the A Place to Grow Plan (2020), and complies with the Urban Hamilton Official Plan;
- (c) That staff be directed to report back, prior to the expiration of the Temporary Use By-laws attached as Appendix “A” and “B” to Report PED20135(c) or at the request of Council, to present staffs’ evaluation of these temporary permissions to determine if any modifications to the regulations for Outdoor Commercial Patios and/or temporary tents in Zoning By-law No. 05-200 is appropriate or whether some or all of the temporary permissions for Outdoor Commercial Patios and/or temporary tents should be established permanently.
- (d) That there were no public submissions received regarding this matter.

8. Rental Housing Licensing Pilot Program and Transition Plan Update (PED21097(b)) (Wards 1, 8 and parts of Ward 14) (Item 10.1)

That Report PED21097(b) respecting Rental Housing Licensing Pilot Program and Transition Plan Update, be received.

9. Demolition Permit for the property known as 389, 391, 427 Limeridge Road East (Added Item 11.1)

WHEREAS, the owner/consultant of the above-mentioned property would like to demolish the existing dwelling without having to replace it with a new dwelling; and

WHEREAS, there have been ongoing issues with the vacant home being repeatedly trespassed and vandalized creating ongoing safety and security concerns for the surrounding neighbours and owner.

THEREFORE, BE IT RESOLVED: That the Chief Building Official be authorized to issue a demolition permit for the single detached dwelling located at the southeast corner of the property known as 389, 391, 427 Limeridge Road East (the municipal address for the dwelling to be demolished being 427 Limeridge Road East), in accordance with By-law 09-208, as amended, pursuant to Section 33 of the Planning Act, without having to comply with the conditions of section 6(a), (b), and (c) of Demolition Control By-law 09-208.

10. Demolition Permit for the property known as 474 to 476 James Street North (Added Item 11.2)

WHEREAS the owner/consultant of the above-mentioned property would like to demolish the existing semi-detached two family dwelling without finalizing the Site Plan Application;

WHEREAS the owner/consultant requires the demolition of the semi-detached two family dwelling in order to complete the testing for the shoring design, ground settlement and vibration studies which are a condition of Site Plan approval.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for the semi-detached two family dwelling known as 474 and 476 James Street North, prior to Site Plan approval, in accordance with By-law 09-208, as amended, pursuant to Section 33 of the *Planning Act*, without having to comply with the conditions of sections 5, 6(a), (b), and (c) of Demolition Control By-law 09-208.”

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 Ontario Land Tribunal Decisions

- a. 325 Highway No. 8 - OPA and ZBL Refusal
By-laws 22-048 and 22-049
Recommendation: Be received.

5.2 Matt Johnston, Urban Solutions, respecting Exemption for
Demolition Permit for 427 Limeridge Road (Item 12.1) -
WITHDRAWN

2. DELEGATION REQUESTS (Item 6)

- 6.1 Luca Giuliano respecting the 12 Hour Parking Rule (For the April
25th meeting)

3. PUBLIC HEARINGS / DELEGATIONS (Item 9)

- 9.5 Applications for Amendments to the Urban Hamilton Official Plan
and Zoning By-law No. 05-200 for Lands Located at 392, 398, 400,
402, 406, and 412 Wilson Street East and 15 Lorne Avenue
(Ancaster) (PED22070) (Ward 12)

(a) Added Written Submissions:

- (xxiv) Jan King
- (xxv) Bonnie Angelini
- (xxvi) Anka Cassar
- (xxvii) Jim MacLeod
- (xxviii) Gayle Villeneuve
- (xxix) Patrick Harrington, Aird & Berlis LLP
- (xxx) Nancy Dingwall
- (xxxi) Dan Faulkner
- (xxxii) Chris Asimoudis
- (xxxiii) David Watkins
- (xxxiv) Robert and Arleen Outlaw
- (xxxv) Patrick Bermingham
- (xxxvi) Amy Cross
- (xxxvii) Patti Leonard
- (xxxviii) William & Marta Vandermarel

- (xxxix) Lucy Bower
- (xl) Marion Spicer and Nell Farmer Spicer
- (xli) Pat and David Venus
- (xlii) Jessica Laposa
- (xliii) Veronica Watkins
- (xliv) Klaas Detmar
- (xlv) Jennifer Asimoudis
- (xlvi) Gail Lazzarato
- (xlvii) Sandra Starr
- (xlviii) Kelly Pearce
- (xlix) Linda Friend and Terry Pearce

(b) Added Registered Delegations:

- (ii) Bob Maton
- (iii) Lilian Druiven

9.6 Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Town of Ancaster Zoning By-law No.87-57, Town of Flamborough Zoning By-law No. 90-145-Z, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92. (CI 22-C) (PED22046) (City Wide)

(a) Added written Submissions

- (i) Sue McMaster, Rockhaven Distillery Ltd.

9.7 Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED22047) (City Wide)

(a) Added written Submissions

- (i) Sue McMaster, Rockhaven Distillery Ltd.

9.10 Site Alteration Appeal for the property known as 2330 Guyatt Road, Glanbrook, Denied by the Director of Growth Management and Appealed by the Owner (PED22036) (Ward 11) – Deferred to a future meeting

4. NOTICES OF MOTIONS (Item 12)

12.1 Demolition Permit for the property known as 389, 391, 427 Limeridge Road East

The agenda for the April 5, 2022 Planning Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Pearson declared a disqualifying interest to Item 10.1, Rental Housing Licensing Pilot Program and Transition Plan Update (PED21097(b)), as she is a landlord of rental properties.

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

(i) March 22, 2022 (Item 4.1)

The Minutes of the March 22, 2022 meeting were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Ontario Land Tribunal Decisions (Added Item 5.1)

(a) 325 Highway No. 8 - OPA and ZBL Refusal By-laws 22-048 and 22-049

The communication from the Ontario Land Tribunal respecting 325 Highway No. 8 - OPA and ZBL Refusal - By-laws 22-048 and 22-049, was received.

(e) DELEGATION REQUESTS (Item 6)

(i) Delegation Requests (Added Item 6.1)

The Delegation Request from Luca Giuliano respecting the 12 Hour Parking Rule, was approved for the April 25, 2022 meeting.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) John Matas respecting a Demolition Permit for 474-476 James Street North (Item 9.1)

John Matas addressed the Committee respecting a Demolition Permit for 474-476 James Street North.

The delegation from John Matas addressed the Committee respecting a Demolition Permit for 474-476 James Street North, was received.

For disposition of this matter, refer to Items (g)(ii) and 10.

(ii) Viv Saunders, Lakewood Beach Community Council, respecting Site Plan Approval / Building Permit Issuance (Item 9.2)

Viv Saunders, Lakewood Beach Community Council, addressed the Committee respecting Site Plan Approval / Building Permit Issuance.

The delegation from Viv Saunders, Lakewood Beach Community Council, respecting Site Plan Approval / Building Permit Issuance, was received.

In accordance with the *Planning Act*, Chair Johnson advised those viewing the virtual meeting that the public had been advised of how to pre-register to be a virtual delegate at the Public Meetings on today's agenda.

In accordance with the provisions of the *Planning Act*, Chair Johnson 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 proposed By-law Amendments and 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.

(iii) Application for a Zoning By-law Amendment for Lands Located at 386 Wilcox Street, Hamilton (PED22079) (Ward 3) (Item 9.3)

No members of the public were registered as Delegations.

The staff presentation was waived.

Dana Anderson, from MHBC Planning, Urban Design & Landscape Architecture, was in attendance and indicated support for the staff report.

The delegation from Dana Anderson, from MHBC Planning, Urban Design & Landscape Architecture was received.

The public meeting was closed.

- (a) That Amended Zoning By-law Amendment Application ZAC-22-009, by MHBC Planning on behalf of Stelco Inc., for a further modification to the General Industrial (M5, 433) Zone to the General Industrial (M5, 433, H123) Zone to add a Holding Provision on lands located at 386 Wilcox Street (Hamilton), as shown on Appendix "A" to Report PED22079, be APPROVED on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED22079, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) 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;
- (c) That Schedule “D” – Holding Provisions, of Zoning By-law No. 05-200; be amended by adding the following Holding Provisions as follows:

“123. Notwithstanding Section 9.5 and Special Exception No. 433 of this By-law, within the lands zoned General Industrial (M5, 433) Zone identified on Map Nos. 749, 750, 751, 789, 790, 791, 830, 831, 832, 872, 873, 874, 915 and 916 of Schedule “A” – Zoning Maps and described as 386 Wilcox Street, development shall be restricted in accordance with the following:

- (i) For such time as the Holding Provision is in place, these lands shall only be used for permitted uses, buildings and structures listed in the (M5, 433) Zone;
- (ii) Regulations

For such time as the Holding Provision is in place, these lands shall be subject to the regulations of the (M5, 433) Zone and the following regulations:

- (1) New development, including the establishment of uses permitted by the (M5,433) Zone, and additions or alterations to existing buildings shall be permitted to a maximum of 1,000 square metres, in accordance with the provisions of Zoning By-law No. 05-200;
- (2) Issuance of Demolition Permits shall be permitted, to the satisfaction of the Chief Building Official;
- (3) Relocation of existing buildings and structures on site shall be permitted provided there is no increase in Gross Floor Area with the exception to additions and alterations up to a

maximum of 1,000 square metres as set out in
a) above, to the satisfaction of the Chief
Building Official;

- (4) Site remediation and earthworks shall be permitted, to the satisfaction of the Director of Growth Management;

(iii) Conditions for Holding Provision Removal

The Holding Provision shall, upon Application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision, provided that the following conditions have been satisfied for such portion of the lands:

- (1) The Owner submits and receives approval of a Concept Plan for the lands, to the satisfaction of the Director of Planning and Chief Planner. The Concept Plan shall include the following:
 - (aa) Precincts and the distribution of land uses and buildings within each precinct;
 - (bb) Road and rail network;
 - (cc) Phasing;
- (2) The Owner shall provide a Master Servicing Plan, including a Transportation Master Plan, for the retained and severed portion of the lands to the satisfaction of the Director of Growth Management and Director of Transportation and Parking. Furthermore, the Owner shall develop a Terms of Reference to complete the Master Servicing Plan and Transportation Master Plan to the satisfaction of the Director of Growth Management and Director of Transportation and Parking;
- (3) The Owner enter into and register on title a Joint Use Agreement and/or Development Agreement (if required) to implement the Master Servicing Plan, to the satisfaction of the Director of Growth Management;
- (4) The Owner submits and receives approval of an Implementation Strategy to illustrate how the Concept Plan and Master Servicing Plan,

including a Transportation Master Plan, may be implemented through additional Planning Act approvals such as Draft Plan of Subdivision, Draft Plan of Condominium and/or Applications for Site Plan Control all to the satisfaction of the Director of Planning and Chief Planner, Director of Transportation and Parking and Director of Growth Management.

The recommendations in Report PED22079 were **amended** by adding the following sub-section (b):

- (b) That there were no public submissions received regarding this matter.**

For disposition of this matter, refer to Item 1.

- (iv) Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, Hamilton (PED22062) (Ward 2) (Item 9.4)**

No members of the public were registered as delegations.

The staff presentation was waived.

Matt Johnston with Urban Solutions, was in attendance and indicated support for the staff report.

The delegation from Matt Johnston with Urban Solutions, was received.

The written submissions in the staff report, were received.

The public meeting was closed.

- (a) That Amended Official Plan Amendment Application UHOPA-20-008 by Urban Solutions Planning and Land Development Consultants Inc. c/o Sergio Manchia, on behalf of 467052 Ontario Limited c/o Steve Joyce, Owner, to redesignate a portion of the subject lands from “Low Density Residential” and a portion of the subject lands from “Local Commercial” to “Mixed Use” with a Special Policy Area in the City of Hamilton Official Plan, to permit a seven storey mixed use building with commercial uses on the ground floor, professional offices and professional medical offices on the second floor and residential dwelling units on the upper storeys, for lands located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, as shown**

on Appendix “A” attached to Report PED22062, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22062, 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-20-013 by Urban Solutions Planning and Land Development Consultants Inc. c/o Sergio Manchia, on behalf of 467052 Ontario Limited c/o Steve Joyce, Owner, for a change in zoning from the “JJ/S-378” (Restricted Light Industrial) District, Modified, “H” (Community Shopping and Commercial, Etc.) District, “H/S-1259” (Community Shopping and Commercial, Etc.) District, Modified and “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District to a site specific Mixed Use Medium Density – Pedestrian Focus (C5a, 774, H124) Zone to permit a mixed use building with a maximum building height of 25 metres (seven storeys) with 845.64 square metres of ground floor commercial space, 749.52 square metres of office on the second floor, 79 residential dwelling units on the upper floors and a total of 86 parking spaces for lands located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, as shown on Appendix “A” attached to Report PED22062, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED22062, 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), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. ____;
 - (iii) That Schedule “D” – Holding Provisions, of Zoning By-law No. 05-200; be amended by adding the following Holding Provisions as follows:

H124. Notwithstanding Section 10.5a of this By-law, within lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone on Map No. 952 on Schedule “A” – Zoning

Maps, and described as 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, Hamilton, no development shall be permitted until such time as:

1. The Owner submit and receive completion of a signed Record of Site Condition being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP) or enters into a conditional building permit agreement with respect to completing a Record of Site Condition. This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton's current RSC administration fee;
 2. The Owner agrees in a signed Site Plan Agreement to implement all required noise mitigation measures identified in the Environmental Noise Feasibility Study dated November 22, 2019 by RWDI and updated July 26, 2021, to the satisfaction of the Director of Planning and Chief Planner;
 3. The Owner agrees in a signed Site Plan Agreement, to provide notice to any subsequent owner, as well as any prospective purchasers or tenants that the dwellings are located in a Class 4 Area, and to agree to register this notice and any / all warning clauses on title, and include them in any purchase and sale and in any lease or rental agreement, to the satisfaction of the Director of Planning and Chief Planner;
- (c) That Council deem the lands at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North (see Appendix "A" attached to Report PED22062) as a Class 4 Area pursuant to the Ministry of the Environment, Conservation and Parks' (MECP) Noise Guidelines NPC-300 (Stationary and Transportation Sources – Approval and Planning), and that the Class 4 Area designation apply only to the development proposal attached as Appendix "E" to Report PED22062 with the requirement that all noise mitigation and warning clauses be secured through the Holding Provision attached to the implementing Zoning By-law as specified in Section (b)(iii) b, and c. outlined above;

- (d) That upon finalization of the amending By-law, the subject lands be redesignated from “Single and Double” and “Commercial” to “Commercial and Apartments” in the Beasley Neighbourhood Plan

The recommendations in Report PED22062 were **amended** by adding the following sub-section (e):

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

For disposition of this matter, refer to Item 2.

- (v) **Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 392, 398, 400, 402, 406, and 412 Wilson Street East and 15 Lorne Avenue (Ancaster) (PED22070) (Ward 12) (Item 9.5)**

Tim Vrooman, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Patrick Harrington, from Aird & Berlis LLP is in attendance as representative for the applicant, was in attendance and indicated he was not in support for the staff report.

The delegation from Patrick Harrington, from Aird & Berlis LLP, was received.

The following written submissions (Item 9.5(a)), were received:

- (i) Karen and Paul Shields - Opposed to the application
- (ii) Mark Collings – Opposed to the application
- (iii) Barb Russell-Morse – Opposed to the application
- (iv) Debra and Edward Valevicius – Opposed to the application
- (v) R.H. Baker – Opposed to the application
- (vi) David Molnar– Opposed to the application
- (vii) Dr. Christina Grant and Sheldon Norton – Opposed to the application
- (viii) Douglas Amos - Opposed to the application
- (ix) Heather Bull – Opposed to the application
- (x) John and Jan Allan – Concerns with the application
- (xi) Brad Kuhn – Opposed to the application
- (xii) Jane Brown – Opposed to the application
- (xiii) Doug Stephens – Opposed to the application
- (xiv) Gail Moffat – Opposed to the application

- (xv) Enrico and Julie Palmese – Opposed to the application
- (xvi) David Hardcastle – Opposed to the application
- (xvii) Robert Annandale – Opposed to the application
- (xviii) Peter Palmer – Opposed to the application
- (xix) Marc Bader – Opposed to the application
- (xx) Shannon Kyles – Opposed to the application
- (xxi) Brian Dale – Opposed to the application
- (xxii) Dr. Brooke Pearson and Kathleen Pearson – Opposed to the application
- (xxiii) Maxine Morris-Zecchini and Mario Zecchini – Opposed to the application
- (xxiv) Jan King – Concerns with the application
- (xxv) Bonnie Angelini – Opposed to the application
- (xxvi) Anka Cassar – Opposed to the application
- (xxvii) Jim MacLeod – Opposed to the application
- (xxviii) Gayle Villeneuve – Concerns with the application
- (xxix) Patrick Harrington, Aird & Berlis LLP – In support of the application
- (xxx) Nancy Dingwall – Opposed to the application
- (xxxi) Dan Faulkner – Opposed to the application
- (xxxii) Chris Asimoudis – Opposed to the application
- (xxxiii) David Watkins – Opposed to the application
- (xxxiv) Robert and Arleen Outlaw – Opposed to the application
- (xxxv) Patrick Bermingham – Concerns with the application
- (xxxvi) Amy Cross – Opposed to the application
- (xxxvii) Patti Leonard – Opposed to the application
- (xxxviii) William & Marta Vandermarel – Opposed to the application
- (xxxix) Lucy Bower – Opposed to the application
- (xl) Marion Spicer and Nell Farmer Spicer – Opposed to the application
- (xli) Pat and David Venus – Opposed to the application
- (xlii) Jessica Laposa – Opposed to the application
- (xliii) Veronica Watkins – Opposed to the application
- (xliv) Klaas Detmar – Opposed to the application
- (xlv) Jennifer Asimoudis – Opposed to the application
- (xlvi) Gail Lazzarato – Opposed to the application
- (xlvii) Sandra Starr – Concerns with the application
- (xlviii) Kelly Pearce – Opposed to the application
- (xlix) Linda Friend and Terry Pearce – Concerns with the application

Registered Delegations (Item 9.2(b)):

The following delegates addressed the Committee respecting Report PED22070 (Item 9.5):

- (i) Margarita De Antunano – Opposed to the proposal.
- (ii) Bob Maton – Opposed to the application
- (iii) Lilian Druiven – Opposed to the application

The following delegations were received.

- (i) Margarita De Antunano
- (ii) Bob Maton
- (iii) Lilian Druiven

That Report PED22070 be referred back to staff for further consultation with the applicant, staff and the Ward Councillor.

The above Motion was DEFEATED.

The public meeting was closed.

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-22-004, by Wilson St. Ancaster Inc. (c/o Giovanni Fiscaletti, Applicant / Owner), to amend the Ancaster Wilson Street Secondary Plan to redesignate the lands located at 15 Lorne Avenue from “Low Density Residential 1” designation to “Mixed Use - Medium Density” designation with a “Pedestrian Focus”; and, to establish a Site Specific Policy to permit an eight storey mixed use development with a maximum density of 220 units per hectare and provide for the relocation of the existing designated heritage building from 398 Wilson Street East to 15 Lorne Avenue, on lands located at 392, 398, 400, 402, 406, and 412 Wilson Street East, as shown on Appendix “A” attached to Report PED22070, be DENIED on the following basis:
 - (i) That the proposed amendment does not meet the general intent of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan with respect to the following matters: right-of-way dedications, building height, residential density, massing, privacy, overlook, setbacks, and compatibility with and enhancement of the character of the existing neighbourhood.
 - (ii) The mass, height, and bulk of the proposal is not considered to be good planning and is considered an overdevelopment of the site;
- (b) That Zoning By-law Amendment Application ZAC-22-011, by Wilson St. Ancaster Inc. (c/o Giovanni Fiscaletti, Applicant / Owner), to change the zoning from the Existing Residential “ER” Zone, the Mixed Use Medium Density - Pedestrian Focus (C5a, 570) Zone, and the Mixed Use Medium Density - Pedestrian Focus (C5a, 570, 651) Zone to a modified Mixed Use Medium Density - Pedestrian Focus (C5a) Zone, to permit an eight storey mixed use development with a maximum density of 220 units per hectare, with

1,677 m² of at grade commercial space and 169 dwelling units above with 55 surface parking spaces and 257 underground parking spaces, on lands located at 392, 398, 400, 402, 406, and 412 Wilson Street East and to relocate the existing designated heritage building on the lands located at 398 Wilson Street East to the lands located at 15 Lorne Avenue, as shown on Appendix “A” attached to Report PED22070, be DENIED on the following basis:

- (i) That the proposed change in zoning does not meet the general intent of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan with respect to building height, setbacks, and massing;
- (ii) That the proposal does not meet the general intent of the Zoning By-law with regards to allowable building height, setbacks, minimum side yard, planting strip;
- (iii) That the proposal is not considered to be good planning and is considered an overdevelopment of the site.

The recommendations in Report PED22070 were **amended** by adding the following sub-section (c):

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

For disposition of this matter, refer to Item 3.

- (vi) **Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Town of Ancaster Zoning By-law No.87-57, Town of Flamborough Zoning By-law No. 90-145-Z, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92. (CI 22-C) (PED22046) (City Wide) (Item 9.6)**

No members of the public were registered as delegations.

The staff presentation was waived.

The following written submission (Item 9.(6a)), was received:

- (i) Sue McMaster, in Support of the application.

The public meeting was closed.

- (a) That approval be given to City Initiative CI 22-C for modifications and updates to the City of Hamilton Zoning By-law No. 05-200 on the following basis:
 - (i) That the Draft By-law, attached as Appendix “A” to Report PED22046, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP);
 - (iii) That the proposed changes in zoning will be in conformity with the Rural Hamilton Official Plan (RHOP) upon approval of Draft Rural Hamilton Official Plan Amendment No. ____ (Appendix “B” attached to Report PED22047);
 - (iv) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Greenbelt Plan, 2017;

- (b) That approval be given to City Initiative CI 22-C for modifications to the Town of Ancaster Zoning By-law No. 87-57 on the following basis:
 - (i) That the Draft By-law, attached as Appendix “B” to Report PED22046, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Greenbelt Plan, 2017;

- (c) That approval be given to City Initiative CI 22-C for updates to the Town of Flamborough Zoning By-law No. 90-145-Z on the following basis:
 - (i) That the Draft By-law, attached as Appendix “C” to Report PED22046, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

- (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Greenbelt Plan, 2017;
- (d) That approval be given to City Initiative C1 22-C for updates to the City of Hamilton Zoning By-law No. 6593 on the following basis:
- (i) That the Draft By-law, attached as Appendix “D” to Report PED22046, which has been prepared in a form satisfactory to the City Solicitor, be held in abeyance until such time as By-law No. 21-249 is in force and effect;
 - (ii) That staff be directed to bring forward the draft By-law, attached as Appendix “D” to Report PED22046, for enactment by Council, once By-law No. 21-249 is in force and effect;
 - (iii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP);
 - (iv) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the Greenbelt Plan, 2017;
- (e) That approval be given to City Initiative CI 22-C for updates to the City of Stoney Creek Zoning By-law No. 3692-92 on the following basis:
- (i) That the Draft By-law, attached as Appendix “E” to Report PED22046, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Greenbelt Plan, 2017.

The recommendations in Report PED22046 were **amended** by adding the following sub-section (f):

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

For disposition of this matter, refer to Item 4.

(vii) Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED22047) (City Wide) (Item 9.7)

No members of the public were registered as delegations.

Delia McPhail, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

The following written submission (Item 9.7(a)), was received:

- (i) Sue McMaster, in Support of the application.

The public meeting was closed.

- (a) That City Initiative CI-22-B – Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan, to amend policies, schedules and maps in Volume 1 – Parent Plan, Volume 2 – Secondary Plans and Rural Settlement Area Plans of the UHOP and RHOP, correct and clarify policies and mapping, be APPROVED on the following basis:

- (i) That the Draft Urban Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED22047, be adopted by Council;
- (ii) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED22047, be adopted by Council;
- (iii) That the proposed Official Plan Amendments are consistent with the Provincial Policy Statement (PPS), 2020 and conform to Growth Plan for the Greater Golden Horseshoe, 2019, as amended and the Greenbelt Plan, 2017.

The recommendations in Report PED22047 were **amended** by adding the following sub-section (b):

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

For disposition of this matter, refer to Item 5.

- (viii) **Entertainment on Outdoor Commercial Patios – Amendments to City of Hamilton Zoning By-law No. 05-200 and the Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Town of Glanbrook Zoning By-law No. 464, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92 (CI 22-D) (PED16155(c)) (City Wide) (Item 9.8)**

No members of the public were registered as Delegations.

Alana Fulford, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

The public meeting was closed.

- (a) That approval be given to City Initiative CI 22-D to amend City of Hamilton Zoning By-law No. 05-200 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
- (i) That the Draft By-law, attached as Appendix “A” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP), Rural Hamilton Official Plan, Hamilton-Wentworth Official Plan and City of Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended.
- (b) That approval be given to City Initiative CI 22-D to amend Town of Ancaster Zoning By-law No. 87-57 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:

- (i) That the Draft By-law, attached as Appendix “B” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;
- (c) That approval be given to City Initiative CI 22-D to amend Town of Dundas Zoning By-law No. 3581-86 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
- (i) That the Draft By-law, attached as Appendix “C” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;
- (d) That approval be given to City Initiative CI 22-D to amend Town of Flamborough Zoning By-law No. 90-145-Z to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
- (i) That the Draft By-law, attached as Appendix “D” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A

Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019;

- (e) That approval be given to City Initiative CI 22-D to amend Town of Glanbrook Zoning By-law No. 464 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019;

- (f) That approval be given to City Initiative CI 22-D to amend former City of Hamilton Zoning By-law No. 6593 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:
 - (i) That the Draft By-law, attached as Appendix “F” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP), Rural Hamilton Official Plan, Hamilton-Wentworth Official Plan and City of Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019;

- (g) That approval be given to City Initiative CI 22-D to amend City of Stoney Creek Zoning By-law No. 3692-92 to permit commercial entertainment and recreation on outdoor commercial patios on the following basis:

- (i) That the Draft By-law, attached as Appendix “G” to Report PED16155(c) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan;
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019;
- (h) Subject to the approval of City Initiative CI 22-D, that Licensing and Bylaw Services staff be directed to report back to Planning Committee to amend Licencing By-law No. 07-170 by adding a condition stating business licence holders may not permit noise from commercial entertainment or commercial recreation on Outdoor Commercial Patios.

The recommendations in Report PED16155(c) were **amended** by adding the following sub-section (i):

- (i) ***That there were no public submissions received regarding this matter.***

For disposition of this matter, refer to Item 6.

- (ix) **Temporary Use By-law to Zoning By-law No. 05-200 – Outdoor Commercial Patios and Temporary Tents (CI-20-F(4)) (PED20135(c)) (City Wide) (Item 9.9)**

No members of the public were registered as Delegations.

Alana Fulford, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

The public meeting was closed.

- (a) That approval be given to City Initiative-20-F(4) to establish a Temporary Use By-law for Zoning By-law No. 05-200, effective until March 31, 2025, to grant relief from and provide for additional locational permissions for Outdoor Commercial Patios for the Downtown Central Business District (D1) Zone, Downtown Prime Retail Streets (D2) Zone, Downtown Mixed Use (D3) Zone,

Community Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use High Density (C4) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density - Pedestrian Focus (C5a) Zone, District Commercial (C6) Zone, Arterial Commercial (C7) Zone, Mixed Use (TOC1) Zone, Local Commercial (TOC2) Zone, and Mixed Use High Density (TOC4) Zone within the City, on the following basis:

- (i) That the draft Temporary Use By-law, attached as Appendix “A” to Report PED20135(c), be approved by City Council;
 - (ii) That the draft Temporary Use By-law is consistent with the Provincial Policy Statement (PPS) 2020, conforms to the A Place to Grow Plan 2019, as amended, and complies with the Urban Hamilton Official Plan;
- (b) That approval be given to City Initiative-20-F(4) to establish a Temporary Use By-law for Zoning By-law No. 05-200, effective until March 31, 2025, to provide improved operational flexibility for local businesses and institutional operations (specifically places of worship, hospitals, and educational establishments), by permitting the erection of temporary tents for six consecutive months for certain commercial zones, uses permitted in the Community Park (P2) Zone and the City Wide (P3) Zone, certain institutional uses in institutional zones, and certain commercial uses and accessory commercial uses to a permitted use in certain industrial zones within the City, on the following basis:
- (i) That the draft Temporary Use By-law, attached as Appendix “B” to Report PED20135(c), be approved by City Council;
 - (ii) That the draft Temporary Use By-law is consistent with the Provincial Policy Statement (PPS) 2020, conforms to the A Place to Grow Plan (2020), and complies with the Urban Hamilton Official Plan;
- (c) That staff be directed to report back, prior to the expiration of the Temporary Use By-laws attached as Appendix “A” and “B” to Report PED20135(c) or at the request of Council, to present staffs’ evaluation of these temporary permissions to determine if any modifications to the regulations for Outdoor Commercial Patios and/or temporary tents in Zoning By-law No. 05-200 is appropriate or whether some or all of the temporary permissions for Outdoor Commercial Patios and/or temporary tents should be established permanently.

The recommendations in Report PED20135(c) were **amended** by adding the following sub-section (d):

- (d) That there were no public submissions received regarding this matter.**

For disposition of this matter, refer to Item 7.

The Committee recessed from 12:37 p.m. to 12:50 p.m.

(g) NOTICES OF MOTIONS (Item 12)

- (i) Demolition Permit for the property known as 389, 391, 427 Limeridge Road East (Added Item 12.1)**

Councillor Danko introduced a Notice of Motion respecting Demolition Permit for the property known as 389, 391, 427 Limeridge Road East.

The Rules of Order were waived to allow for the introduction of a Motion respecting Demolition Permit for the property known as 389, 391, 427 Limeridge Road East.

For disposition of this matter, refer to Item 9.

- (ii) Demolition Permit for the property known as 474 to 476 James Street North (Added Item 12.2)**

Councillor Farr introduced a Notice of Motion respecting Demolition Permit for the property known as 474 to 476 James Street North.

The Rules of Order were waived to allow for the introduction of a Motion respecting Demolition Permit for the property known as 474 to 476 James Street North.

For disposition of this matter, refer to Item 10.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

- (i) Outstanding Business List (13.1)**

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

- (a) Items Requiring New Due Dates:**

18L - Review of C6 and C7 Zoning Regulations
Proposed New Due Date: November 29, 2022

19B - Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED19029)
Proposed New Due Date: June 14, 2022

19G - Care Facilities and Group Homes (Urban Area) – Human Rights and the Zoning By-law Discussion Paper (CI 19-B) (PED19091)
Proposed New Due Date: May 31, 2022

19Q - Application for Zoning By-law Amendment for Lands Located at 116 and 120
Proposed New Due Date: Q4 2022

19X - Use of Surplus Parking Spaces by Third Parties in Downtown Hamilton
Proposed New Due Date: June 14, 2022

19BB - Parking Fee Review (PED19238)
Proposed New Due Date: May 17, 2022

20L - Use of Tertiary Septic Systems in Hamilton and Update re: Local Planning
Proposed New Due Date: September 20, 2022

21X - License Rental Housing (PED21097/LS21022)
Proposed New Due Date: July 2022

21Y - Hamilton Municipal Heritage Committee Report 21-007 (Item 7.5)
Proposed New Due Date: July 2022

(b) Items to be Removed:

18E - 2018 Development Fee Review (Item (d)(i)(b) on the General Issues Committee Report 2018)

19D - 2019 Operating Budget Offsets from Planning and Development Fees (PED19066) (Item 3 on the General Issues Committee Report 19-006)

19J - Zoning By-law Amendment for 1400 Baseline Road (Added Item 12.1 on the April 30, 2019 agenda)

19DD - Anthony Longo respecting 2070 Rymal Road East (Delegation) (Added Item 6.1 on the November 19, 2019 agenda)

19GG - Implementation and Resources Required re: Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (** Recommendation that it be removed from PC and referred to H&SC) (Item 4 on the December 4, 2019 General Issues Committee Report)

20-F - Paul Valeri, Valery Homes, requesting Deferral of Decision on the Designation of 828 Sanitorium Road (Added Item 6.4, Hamilton Municipal Heritage Committee Report 20-003, Recommendation #3) (Item 4.6)

21AA - Outdoor Dining Districts Extension (Item 11.1)(Item 11.1 on the November 2, 2021, Planning Committee Report 21-017)

21H - John Ariens, IBI Group, respecting 125-129 Robert Street (UHOP-17- 033 and ZAC-17-073) (Item (g)(v) on the April 20, 2021 Planning Committee Report 21-006)

(ii) General Manager's Update (Added Item 13.2)

Jason Thorne, General Manager of Planning and Economic Development, addressed the Committee respecting an upcoming report to update Committee on the Housing Affordability Task Force; and asked Legal staff to introduce the new Planning Solicitor, Rachel McVean.

The General Manager's Update, was received.

(i) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – March 22, 2022 (Item 14.1)

- (a) That the Closed Session Minutes dated March 22, 2022, be approved as presented; and,
- (b) That the Closed Session Minutes dated March 22, 2022, remain private and confidential.

(j) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee adjourned at 1:29 p.m.

Councillor B. Johnson
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator



GENERAL ISSUES COMMITTEE REPORT 22-007

9:30 a.m.

April 6, 2022

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

Present: Mayor F. Eisenberger, Deputy Mayor N. Nann (Chair)
Councillors M. Wilson, J. Farr, S. Merulla, R. Powers, T. Jackson,
E. Pauls, J. P. Danko, B. Clark, M. Pearson, B. Johnson, L. Ferguson,
A. VanderBeek, J. Partridge

Absent: Councillor T. Whitehead – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 22-007, AND RESPECTFULLY RECOMMENDS:

1. Cleanliness and Security in the Downtown Core Report 21-001, December 9, 2021 (Item 7.1)

That the Cleanliness and Security in the Downtown Core Report 21-001, December 9, 2021, be received.

2. Government Relations Strategy for the City of Hamilton (CM22005) (City Wide) (Item 7.3)

That Report CM22005, respecting the Government Relations Strategy for the City of Hamilton, be received.

3. Ancaster Village Business Improvement Area (BIA) Revised Board of Management (PED22076) (Ward 12) (Item 7.4)

That the following individual be appointed to the Ancaster Village Business Improvement Area (BIA) Board of Management:

- (a) Diane Price

4. Economic Development Action Plan - Communications (CM22003) (City Wide) (Item 10.1)

- (a) That the Economic Development Action Plan (EDAP) strategy include both owned (non-paid) and advertising (paid) efforts, as shown below:
 - (i) Owned Media Efforts:
 - (1) A comprehensive landing page on the City's website that will provide historical details and context of the EDAP, the plan itself, and 18 news stories designed to make the plan relevant to a resident audience;
 - (2) Sharing stories and EDAP content on all multiple City social media channels;
 - (3) Shareable content to be delivered directly to stakeholders electronically and is shareable through email, social media, and print; and,
 - (4) Tailored video and graphic content for use on City social media channels;
 - (ii) Paid Advertising:
 - (1) A hard-copy media insert that will provide a full listing of the summary stories in a news format, to be distributed to print media consumers across the municipality; and,
 - (2) Provision of print copies of the EDAP summary stories at numerous City customer service desks;
- (b) That the estimated amount \$35,000, to be funded from the Economic Development Investment Reserve Account No. 112221, to cover production and distribution of print materials, be approved; and,
- (c) That, for longer-term efforts to raise awareness as the Economic Development Action Plan implementation progresses, Communication staff be directed to provide ongoing updates, primarily through media and social media efforts.

**5. Our Priorities, Our Plan: Building a Brighter Future for Hamilton (CM22006)
(City Wide) (Item 10.2)**

- (a) That the proposed City of Hamilton priorities, as outlined below, be approved in advance of the June 2, 2022 provincial election:
 - (i) Supportive Housing;
 - (ii) Strong Economic Recovery and Prosperity post-COVID-19;
 - (iii) Investing in Child Care and Early Years;
 - (iv) Climate Change Adaptation and Mitigation;
 - (v) Commitment to Equity, Diversity and Inclusion; and,
 - (vi) Infrastructure funding including, but not exclusive to, relief of congestion on Highway 403 eastbound between Highway 6 South to Highway 6 North, at the Lincoln Alexander Parkway (LINC), and the intersection of the Red Hill Valley Parkway (RHVP) and the Queen Elizabeth Way (QEW); and,
- (b) That staff be directed to provide relevant supplementary materials to the Mayor and Council that will support election related advocacy.

**6. Environment Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 50 Green Mountain Road West, ERG-21-03 (PED22078)
(Ward 9) (Item 10.3)**

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG-21-03 submitted by NHDG (Green Mountain) Inc., owner of the property at 50 Green Mountain Road West, for an ERASE Redevelopment Grant not to exceed \$5,256 M, the actual cost of the remediation over a maximum of ten years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation (a) of Report PED22078, in a form satisfactory to the City Solicitor; and,

- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

7. Lease Extension and Amending Agreement – Barangas On The Beach, Confederation Beach Park (PED22040) (Ward 5) (Item 10.4)

- (a) That a Lease Extension and Amending Agreement between the City of Hamilton (Lessor) and Barangas Inc. c.o.b. as Barangas On The Beach (Lessee), for the subject premises located, as identified in Appendix “A” to Report PED22040, and based substantially on the terms and conditions outlined in Appendix “B” attached to Report PED22040, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved and entered into by the City of Hamilton;
- (b) That all rental proceeds from the Lease Extension and Amending Agreement - Barangas On The Beach continue to be received by the Hamilton Conservation Authority and deposited to Confederation Beach Park Commercial Business account;
- (c) That all costs related to the Lease Extension and Amending Agreement - Barangas On The Beach, including the real estate and legal costs of \$27.5K, be authorized to be paid by the Hamilton Conservation Authority and funded from Confederation Beach Park Commercial Business account and credited to Dept. ID Account No. 55778-812036 (Real Estate – Admin Recovery);
- (d) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the Lessor, be authorized to administer the Lease and Lease Extension and Amending Agreement - Barangas On The Beach and provide any requisite consents, approvals, and notices related to the Lease and Lease Extension and Amending Agreement;
- (e) That the City Solicitor be authorized to amend and waive terms and conditions on such terms as considered reasonable to complete the leasing transaction, respecting the Lease Extension and Amending Agreement - Barangas On The Beach;
- (f) That the Mayor and Clerk be authorized and directed to execute the Lease Extension and Amending Agreement - Barangas On The Beach, or such

other form and all other necessary associated documents with all such documents to be in a form satisfactory to the City Solicitor; and,

- (g) That Appendix “B” to Report PED22040, respecting Lease Extension and Amending Agreement – Barangas On The Beach, Confederation Beach Park, remain confidential and not be released as a public document.

8. Red Hill Valley Parkway Inquiry Update (LS19036(i)) City Wide) (Item 10.5)

That Report LS19036(i), respecting the Red Hill Valley Parkway Inquiry Update, be received.

9. Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (Item 11.1)

That staff, in collaboration with the federal and provincial Governments and Metrolinx, be directed to establish a strategic land disposition and or acquisition plan along the Hamilton LRT corridor for the purpose of planning to deliver future municipal services including, but not limited to, parks, as well as non-profit affordable housing and report back to the General Issues Committee.

10. Red Hill Valley Parkway Inquiry Update (LS19036(j)) (City Wide) (Item 14.3)

That Report LS19036(j), respecting the Red Hill Valley Parkway Inquiry Update, and its appendix, be received and remain confidential.

11. Red Hill Valley Parkway Inquiry Update (LS19036(k)) (City Wide) (Item 14.4)

- (a) That the direction provided to staff in Closed Session, respecting Report LS19036(k) - Red Hill Valley Parkway Inquiry Update, be approved; and,
- (b) That Report LS19036(k) - Red Hill Valley Parkway Inquiry Update, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

- 6.1 Matt Bremer, respecting the termination of employees based on their decision to not accept the COVID-19 vaccine (For a future GIC)

14. PRIVATE & CONFIDENTIAL

- 14.4 Red Hill Valley Parkway Inquiry Update (LS19036(k)) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f), (i) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

The agenda for the April 6, 2022 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 4)

(i) March 23, 2022 and March 23, 2022 (Budget) (Items 4.1 and 4.2)

The Minutes of the March 23, 2022 regular and March 23, 2022 budget General Issues Committee meetings were approved, as presented.

(d) CONSENT ITEMS (Item 7)

(i) Business Improvement Area (BIA) Advisory Committee Minutes 22-002, February 8, 2022 (Item 7.2)

The Business Improvement Area (BIA) Advisory Committee Minutes 22-002, February 8, 2022 were received.

(e) DELEGATION REQUESTS (Item 6)

The delegation request submitted by Matt Bremer, respecting the termination of employees based on their decision to not accept the COVID-19 vaccine, was approved for a future General Issues Committee meeting.

(f) STAFF PRESENTATIONS (Item 8)

(i) COVID-19 Verbal Update (Item 8.1)

Jason Thorne, General Manager, Planning and Economic Development and Director of the Emergency Operations Centre; and, Dr. Elizabeth Richardson, Medical Officer of Health, provided the verbal update respecting COVID-19.

The verbal update respecting the COVID-19 was received.

(g) DISCUSSION ITEMS (Item 10)

(i) Our Priorities, Our Plan: Building a Brighter Future for Hamilton (CM22006) (City Wide) (Item 10.2)

Sub-section (a) to Report CM22006, respecting Our Priorities, Our Plan: Building a Brighter future for Hamilton, **was amended**, by adding a new sub-section (vi) to read as follows:

- (vi) **Infrastructure funding including, but not exclusive to, relief of congestion on Highway 403 eastbound between Highway 6 South to Highway 6 North, at the Lincoln Alexander Parkway (LINC), and the intersection of the Red Hill Valley Parkway (RHVP) and the Queen Elizabeth Way (QEW); and,**

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

(h) **MOTIONS (Item 11)**

- (l) **Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (Item 11.1)**

The motion, respecting Strategic Land Acquisition Plan Along the Hamilton LRT Corridor, **was amended** by adding the words “, **in collaboration with the federal and provincial Governments and Metrolinx,**”, to read as follows:

That staff, **in collaboration with the federal and provincial Governments and Metrolinx**, be directed to establish a strategic land disposition and or acquisition plan along the Hamilton LRT corridor for the purpose of planning to deliver future municipal services, including but not limited to parks, as well as non-profit affordable housing and report back to the General Issues Committee.

For disposition of the above matter, please refer to Item 9.

The General Issues Committee recessed for one half hour until 1:40 p.m.

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

- (i) **Amendments to the Outstanding Business List (Item 13.1)**

The following amendment to the General Issues Committee’s Outstanding Business List was approved:

- (i) Amendments to the Outstanding Business List (Item 13.1)
- (a) Items to be Removed (Item 13.1.a.)
- (1) How to Best Share the 2021-2025 Economic Development Action Plan (Item 13.1.a.a.)
(Addressed on this agenda as Item 10.1 - CM22003)

(j) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – March 23, 2022 (Item 14.1)

- (a) The Closed Session Minutes of the March 23, 2022 General Issues Committee meeting were approved; and,
- (b) The Closed Session Minutes of the March 23, 2022 General Issues Committee meeting, shall remain confidential.

Committee moved into Closed Session to discuss Items 14.3 and 14.4, pursuant to Section 9.1, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f), (i) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(k) ADJOURNMENT (Item 14)

There being no further business, the General Issues Committee adjourned at 3:37 p.m.

Respectfully submitted,

Nrinder Nann, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



City of Hamilton
**SOLE VOTING MEMBER
 OF THE HAMILTON FARMERS' MARKET
 MINUTES 22-002**

3:44 p.m.

Wednesday, April 6, 2022

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

Present: Mayor F. Eisenberger (Chair), Deputy Mayor N. Nann
 Councillors M. Wilson, J. Farr, R. Powers, T. Jackson,
 E. Pauls, J.P. Danko, B. Clark, M. Pearson, B. Johnson,
 A. VanderBeek, J. Partridge

Absent: Councillors T. Whitehead, S. Merulla, L. Ferguson – Personal

**THE SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET
 PRESENTS REPORT 22-002, AND RESPECTFULLY RECOMMENDS:**

1. Approval of the Minutes and Number of Directors (Item 7.1)

WHEREAS, the Corporation is a corporation without share capital to which the *Corporations Act*, R.S.O. 1990, c.38 (the "Act") applies; and,

WHEREAS, by the Corporation's Letters Patent, the City of Hamilton is the sole voting member of the Corporation ("Sole Voting Member").

1. MINUTES OF PREVIOUS MEETING

BE IT RESOLVED:

That the minutes of the meeting held February 2, 2022, be approved.

2. DIRECTORS – DUTIES AND NUMBER

WHEREAS, by section 5 of the Corporation's By-Law No.1, the Board of Directors shall consist of a minimum of seven (7) and a maximum of thirteen (13) or such other number of Directors as may be determined from time to time by the Sole Voting Member; and,

Council – April 13, 2022

WHEREAS, the current number of Directors for the Hamilton Farmers' Market Board has dropped below the required minimum membership of 7, restricting the current membership of Directors to legally meet as the Board;

THEREFORE, BE IT RESOLVED:

That the minimum number of Directors required for the Hamilton Farmers' Market Board of Directors be reduced from 7 to 3, and that quorum be the majority of the existing members, being not less than 3.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

The agenda for the April 6, 2022 meeting of the Sole Voting Member of the Hamilton Farmers' Market was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) February 2, 2022 (Item 3.1)

The Minutes of the February 2, 2022 meeting of the Sole Voting Member of the Hamilton Farmers' Market were approved, as presented.

(d) COMMUNICATION ITEMS (Item 4)

(i) Resignations from the Hamilton Farmers' Market Board of Directors (Item 4.1)

The following resignations from the Hamilton Farmers' Market Board of Directors were received:

- (a) Jason Hofing (Item 4.1.a.)
- (b) Elly Bowan (Item 4.1.b.)

- (c) Wilf Ardnt (Item 4.1.c.)
- (d) Damian Wills (Item 4.1.d.)

(e) ADJOURNMENT (Item 10)

There being no further business, the Sole Voting Member of the Hamilton Farmers' Market adjourned at 3:55 p.m.

Respectfully submitted,

Mayor Fred Eisenberger, Chair

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 22-008

**9:30 a.m.
April 7, 2022
Council Chambers
Hamilton City Hall**

Present: Councillors M. Pearson (Chair), B. Clark, L. Ferguson, B. Johnson, R. Powers, A. VanderBeek, and M. Wilson

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 22-008 AND RESPECTFULLY RECOMMENDS:

1. Fraud, Waste and Whistle Blower Semi-Annual Update (AUD22003) (City Wide) (Item 7.2)

That Report AUD22003, respecting the Fraud, Waste and Whistle Blower Semi-Annual Update, be received.

2. Annual Occupational Injury & Illness Claims Report 2021 (HUR22002) (City Wide) (Item 7.3)

That Report HUR22002, respecting the Annual Occupational Injury & Illness Claims Report 2021, be received.

3. Annual Employee Attendance Report 2021 (HUR22003) (City Wide) (Item 7.4)

That Report HUR22003, respecting the Annual Employee Attendance Report 2021, be received.

4. Governance Review Sub-Committee Report 22-001 - March 31, 2022 (Added Item 10.1)

(a) APPOINTMENT OF A CHAIR AND VICE-CHAIR (Item 1)

- (i) That Councillor M. Wilson be appointed as Chair of the Governance Review Sub-Committee for the remainder of the 2018-2022 term.
- (ii) That Councillor A. VanderBeek be appointed as Vice-Chair of the Governance Review Sub-Committee for the remainder of the 2018-2022 term.

**(b) Verbal Updates to Council (FCS22021 / CM22002) (City Wide)
(Outstanding Business List Item) (Item 7.1)**

That Report FCS22021 / CM22002, respecting Verbal Updates to Council, be received.

(c) 2023 Committee and Council Meeting Calendar (Item 10.1) (Attached as Appendix “A” to Governance Review Sub-Committee Report 22-001)

That the 2023 Committee and Council Meeting Calendar be approved, as presented.

(d) Review of City of Hamilton’s Agencies, Boards, Committees and other Affiliated Entities (LS22016 / FCS22025) (City Wide) (Item 10.2)

- (i) That Confidential Appendix "B" and "C" attached to Report LS22016 / FCS22025 respecting the Review of City of Hamilton’s Agencies, Boards, Committees and other Affiliated Entities be approved;
- (ii) That Confidential Appendix “A”, “B” and “C” to Report LS22016 / FCS22025 respecting the Review of City of Hamilton’s Agencies, Boards, Committees and other Affiliated Entities, remain confidential; and
- (iii) That the City Clerk be directed to respond to the Ombudsman on behalf of the City with a list of those entities that the City of Hamilton considers to be ‘council’, ‘committee’ or a ‘local board’ with information contained in Confidential Appendix “B” to Report LS22016 / FCS22025 respecting the Review of City of Hamilton’s Agencies, Boards, Committees and other Affiliated Entities.

5. Grightmire Arena Lessons Learned Audit (AUD22004) (City Wide) (Item 14.2)

- (a) That Report AUD22004 and Confidential Appendices “A” and “B” to Report AUD22004 respecting Grightmire Arena Lessons Learned Audit be received and remain confidential and restricted from public disclosure;
- (b) That Management Responses as detailed in Confidential Appendices “A” and “C” to Report AUD22004 be received;
- (c) That the General Manager of Public Works and the General Manager of Finance and Corporate Services be directed to implement the Management Responses (attached as Confidential Appendices “A” and “C” to Report AUD22004) and report back to the Audit, Finance and Administration Committee on a quarterly basis on the nature and status of actions taken in response to the audit report; and,

- (d) That Council waive the right to privilege for paragraphs 112, 135-137, 142, 144-145, 149, 155, 157-158, and 161 in Confidential Appendix “C” to Report AUD22004, respecting J. L. Grightmire Arena Lessons Learned Audit, and that Confidential Appendix “C” to Report AUD22004 be made public as part of the agenda for the April 21, 2022 Audit, Finance and Administration Committee meeting.

6. Appointments to the Women and Gender Equity Committee (Added Item 14.3)

That the appointments to the Women and Gender Equity Committee, for the remainder of the 2018 – 2022 term of Council, be approved and released publicly following approval by Council.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

7. CONSENT ITEMS (Item 7)

- 7.1(k) Committee Against Racism - February 23, 2021
- 7.1(l) Committee Against Racism - March 23, 2021
- 7.1(m) Committee Against Racism - May 25, 2021
- 7.1(n) Committee Against Racism - June 22, 2021
- 7.1(o) Committee Against Racism - September 21, 2021
- 7.1(p) Committee Against Racism - January 26, 2022

10. DISCUSSION ITEMS (Item 10)

- 10.1 Governance Review Sub-Committee Report 22-001 – March 31, 2022

14. PRIVATE AND CONFIDENTIAL (Item 14)

- 14.3 Appointments to the Hamilton Women and Gender Equity Committee

The agenda for the April 7, 2022 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) March 24, 2022 (Item 4.1)

The Minutes of the March 24, 2022 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Paul Paradis, Ross & McBride LLP, respecting a request for extension of Development Charge Demolition Credits, Hamilton Central Business Park - Formerly 440 Victoria Ave. N. now Studebaker Place and Ferris St. - DCR Holdings Inc. (Item 5.1)

The correspondence from Paul Paradis, Ross & McBride LLP, respecting a request for extension of Development Charge Demolition Credits, Hamilton Central Business Park - Formerly 440 Victoria Ave. N. now Studebaker Place and Ferris St. - DCR Holdings Inc., was received and referred to the General Manager of Finance and Corporate Services for a report back to Audit, Finance and Administration Committee.

(ii) Correspondence from Trent Jarvis, Chair, Hamilton Waterfront Trust, respecting his retirement from the Hamilton Waterfront Trust Board of Trustees (Item 5.2)

The correspondence from Trent Jarvis, Chair, Hamilton Waterfront Trust, respecting his retirement from the Hamilton Waterfront Trust Board of Trustees, was received.

(e) CONSENT ITEMS (Item 7)

The following Various Advisory Committee Minutes, were received:

- (i) Hamilton Aboriginal Advisory Committee - May 6, 2022 (Item 7.1(a))
- (ii) Hamilton Aboriginal Advisory Committee - June 3, 2021 (Item 7.1(b))
- (iii) Hamilton Aboriginal Advisory Committee - September 2, 2021 (Item 7.1(c))
- (iv) Hamilton Aboriginal Advisory Committee - October 7, 2021 (Item 7.1(d))
- (v) Hamilton Aboriginal Advisory Committee - November 4, 2021 (Item 7.1(e))
- (vi) Hamilton Aboriginal Advisory Committee - December 2, 2021 (Item 7.1(f))
- (vii) Hamilton Aboriginal Advisory Committee - January 6, 2022 (Item 7.1(g))
- (viii) Hamilton Aboriginal Advisory Committee - February 3, 2022 (Item 7.1(h))
- (ix) Committee Against Racism - No Quorum Notes - March 22, 2022 (Item 7.1(i))
- (x) Hamilton Women and Gender Equity Committee - February 24, 2022 (Item 7.1(j))
- (xi) Committee Against Racism - February 23, 2021 (Added Item 7.1(k))
- (xii) Committee Against Racism - March 23, 2021 (Added Item 7.1(l))
- (xiii) Committee Against Racism - May 25, 2021 (Added Item 7.1(m))
- (xiv) Committee Against Racism - June 22, 2021 (Added Item 7.1(n))
- (xv) Committee Against Racism - September 21, 2021 (Added Item 7.1(o))
- (xvi) Committee Against Racism - January 26, 2022 (Added Item 7.1(p))

(f) PRIVATE AND CONFIDENTIAL (Item 14)

Committee determined that discussion of Item 14.1 was not required in Closed Session, so the item was addressed in Open Session, as follows:

(i) Closed Minutes – March 24, 2022 (Item 14.1)

- (a) The Closed Session Minutes of the March 24, 2022 Audit, Finance and Administration Committee meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the March 24, 2022 Audit, Finance and Administration Committee meeting, remain confidential.

(ii) Grightmire Arena Lessons Learned Audit (AUD22004) (City Wide) (Item 14.2)

Matthew Alter from Cassels was permitted to attend the Closed Session portion of the meeting with respect to Report AUD22004, Grightmire Arena Lessons Learned Audit.

The Committee moved into Closed Session respecting Item 14.2 pursuant to Section 9.1, Sub-section (f) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(ii) Grightmire Arena Lessons Learned Audit (AUD22004) (City Wide) (Item 14.2) (Continued)

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

(iii) Appointments to the Women and Gender Equity Committee (Added Item 14.3)

Committee determined that discussion of Item 14.3 was not required in Closed Session, therefore, item was addressed in Open Session.

For further disposition of this Item, Refer to Item 6.

(g) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee adjourned at 12:24 p.m.

Respectfully submitted,

Councillor Pearson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

January 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 NEW YEAR'S DAY	2 CLOSED IN LIEU OF NEW YEAR'S DAY	3 NO MEETINGS – PLEASE DO NOT USE	4 NO MEETINGS – PLEASE DO NOT USE	5 NO MEETINGS – PLEASE DO NOT USE	6 NO MEETINGS – PLEASE DO NOT USE	7 NO MEETINGS – PLEASE DO NOT USE
8	9	10	11	12	13	14
15	16 BOH – 9:30 a.m. PW – 1:30 p.m.	17 Planning – 9:30 a.m.	18 GIC – 9:30 a.m.	19 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	20	21
22	23	24	25 COUNCIL 9:30 a.m.	26	27	28
29	30 PW – 1:30 p.m.	31 Planning – 9:30 a.m.				

GIC = General Issues Committee AF&A = Audit, Finance & Administration
 PW = Public Works Committee E&CS = Emergency & Community Services
 Planning = Planning Committee BOH = Board of Health

All meetings will be in the Council Chambers, Hamilton City Hall, 2nd Floor

February 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 GIC – 9:30 a.m.	2 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	3	4
5	6	7	8 COUNCIL 9:30 a.m.	9	10	11
12	13 BOH – 9:30 a.m. PW – 1:30 p.m.	14 Planning – 9:30 a.m.	15 GIC – 9:30 a.m.	16 AF&A – 9:30 a.m. If required E&CS – 1:30 p.m. If required	17	18
19	20 FAMILY DAY	21	22 COUNCIL 9:30 a.m.	23	24	25
26	27	28				

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All meetings will be in the Council Chambers, Hamilton City Hall, 2nd Floor

March 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
	NO MEETINGS – PLEASE DO NOT USE					
12	13	14	15	16	17	18
	MARCH BREAK		MARCH BREAK		MARCH BREAK	
19	20	21	22	23	24	25
	BOH – 9:30 a.m. PW – 1:30 p.m.	Planning – 9:30 a.m.	GIC – 9:30 a.m.	AF&A – 9:30 a.m. E&CS – 1:30 p.m.		
26	27	28	29	30	31	
			COUNCIL 9:30 a.m.			

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April 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 BOH – 9:30 a.m. PW – 1:30 p.m.	4 Planning – 9:30 a.m.	5 GIC – 9:30 a.m.	6 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	7 GOOD FRIDAY	8
9	10 EASTER MONDAY	11	12 COUNCIL 9:30 a.m.	13	14	15
16	17 PW – 1:30 p.m.	18 Planning – 9:30 a.m.	19 GIC – 9:30 a.m.	20 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If required</i>	21	22
23	24	25	26 COUNCIL 9:30 a.m.	27	28	29
30						

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May 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 BOH – 9:30 a.m. PW – 1:30 p.m.	2 Planning – 9:30 a.m.	3 GIC – 9:30 a.m.	4 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	5	6
7	8	9	10 COUNCIL 9:30 a.m.	11	12	13
14	15 PW – 1:30 p.m.	16 Planning – 9:30 a.m.	17 GIC – 9:30 a.m.	18 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If required</i>	19	20
21	22 VICTORIA DAY	23	24 COUNCIL 9:30 a.m.	25	26	27
28	29 BOH – 9:30 a.m. PW – 1:30 p.m.	30 Planning – 9:30 a.m.	31 GIC – 9:30 a.m.			

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All meetings will be in the Council Chambers, Hamilton City Hall, 2nd Floor

June 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	2	3
4	5	6	7 COUNCIL 9:30 a.m.	8	9	10
11	12 PW – 1:30 p.m.	13 Planning – 9:30 a.m.	14 GIC – 9:30 a.m.	15 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If required</i>	16	17
18	19	20	21 COUNCIL 9:30 a.m.	22	23	24
25	26	27	28	29	30	

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All meetings will be in the Council Chambers, Hamilton City Hall, 2nd Floor

July 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 CANADA DAY
2	3 GIC – 9:30 a.m.	4 Planning – 9:30 a.m.	5 BOH – 9:30 a.m. PW – 1:30 p.m.	6 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	7 COUNCIL 9:30 a.m.	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

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All meetings will be in the Council Chambers, Hamilton City Hall, 2nd Floor

August 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 CIVIC HOLIDAY	8	9	10	11	12
13	14 GIC – 9:30 a.m.	15 Planning – 9:30 a.m.	16 BOH – 9:30 a.m. PW – 1:30 p.m.	17 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	18 COUNCIL 9:30 a.m.	19
20	21	22	23	24	25	26
27	28	29	30	31		

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September 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 LABOUR DAY	5 Planning – 9:30 a.m.	6 GIC – 9:30 a.m.	7 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	8 PW – 1:30 p.m. BOH – 9:30 a.m.	9
10	11	12	13 COUNCIL 9:30 a.m.	14	15	16
17	18 PW – 1:30 p.m.	19 Planning – 9:30 a.m.	20 GIC – 9:30 a.m.	21 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If Required</i>	22	23
24	25	26	27 COUNCIL 9:30 a.m.	28	29	30

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October 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 BOH – 9:30 a.m. PW – 1:30 p.m.	3 Planning – 9:30 a.m.	4 GIC – 9:30 a.m.	5 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	6	7
8	9 THANKSGIVING	10	11 COUNCIL 9:30 a.m.	12	13	14
15	16 PW – 1:30 p.m.	17 Planning – 9:30 a.m.	18 GIC – 9:30 a.m.	19 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If Required</i>	20	21
22	23	24	25 COUNCIL 9:30 a.m.	26	27	28
29	30 BOH – 9:30 a.m. PW – 1:30 p.m.	31 Planning – 9:30 a.m.				

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November 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 GIC – 9:30 a.m.	2 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	3	4
5	6	7	8 COUNCIL 9:30 a.m.	9	10	11
12	13 PW – 1:30 p.m.	14 Planning – 9:30 a.m.	15 GIC – 9:30 a.m.	16 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If Required</i>	17	18
19	20	21	22 COUNCIL 9:30 a.m.	23	24	25
26	27	28	29	30		

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December 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 BOH – 9:30 a.m. PW – 1:30 p.m.	5 Planning – 9:30 a.m.	6 GIC – 9:30 a.m.	7 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	8	9
10	11	12	13 COUNCIL 9:30 a.m.	14	15	16
17	18	19	20	21	22	23
24 CHRISTMAS EVE	25 CHRISTMAS DAY	26 BOXING DAY	27 SHUTDOWN	28 SHUTDOWN	29 SHUTDOWN	30
31 NEW YEARS EVE!						

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EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 22-005

1:30 p.m.
Thursday, April 7, 2022
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors B. Clark (Chair), N. Nann, T. Jackson, and E. Pauls

Regrets: Councillors S. Merulla and T. Whitehead – Personal

THE EMERGENCY & COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 22-005 AND RESPECTFULLY RECOMMENDS:

**1. Fire Apparatus Conference/Trade Show Showcase (HSC22019) (City Wide)
(Item 7.1)**

That Report HSC22019, respecting Fire Apparatus Conference/Trade Show Showcase, be received.

**2. City of Hamilton's Strategic Plan to Create Affordable Housing Supply in
the Secondary Rental Market (HSC22007) (City Wide) (Item 10.1)**

- (a) That the City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market attached as Appendix "A" to Emergency and Community Services Committee Report 22-005, be endorsed; and,
- (b) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to administer the Secondary Dwelling Units Program and provide support to residents applying to the Secondary Dwelling units Program including: entering into any agreements on such terms as they consider appropriate; approving payments, and taking other actions needed to ensure success, in a form satisfactory to the City Solicitor.

3. Shelter System Complaint Resolution Process (Item 11.1)

WHEREAS, since the onset of COVID-19 there has been a rapid expansion of the emergency shelter system which has created many changes and ongoing challenges for service providers and clients;

WHEREAS, to better support the emergency shelter system in achieving outcomes, continuous improvement processes should be in place to learn from the pandemic response and look for opportunities for improvement;

WHEREAS, opportunities for improvement should be identified in a person-centred way that accounts for individual experiences of those in the emergency shelter;

WHEREAS, there are many avenues in which complaints, concerns or questions can be received by City staff about services and care provided in the emergency shelter system; and

WHEREAS, developing a formal complaint process for Residential Care Facilities has been successful in receiving and responding to complaints, concerns or questions about the services and care provided to residents of these locations;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to formalize a process within the Healthy and Safe Communities Department to receive complaints, concerns or questions about the services and care provided to clients within Hamilton's emergency shelter system;
- (b) That when the complainant feels the issue has not been satisfactorily resolved through working directly with the service provider, that the process allows for complaints, concerns or questions from:
 - (i) Clients of the shelter system;
 - (ii) Anyone acting on behalf of a client including peers, advocates, friends and family members of clients;
 - (iii) Shelter system staff, service coordinators, medical providers, hospitals, social service organizations and paraprofessionals regarding a client(s) issue;
- (c) That once established, staff report back to the Emergency and Community Services Committee on the details of the formalized shelter system complaint resolution process.

4. Rapid Housing Initiative (RHI) Eligible, Shovel-Ready Locations Inventory (Added Item 11.2)

WHEREAS, the City of Hamilton, through City Housing Hamilton, has received tens of millions of dollars through the Federal Government's Rapid Housing Initiative (RHI) program to construct new affordable housing units;

WHEREAS, current projects benefiting from RHI funding will, in part, assist in securing homes for houseless individuals;

WHEREAS, Hamilton has a Housing First mandate;

WHEREAS, there are tight timelines associated with the application process for RHI funding; and

WHEREAS, there is the possibility that a third round of RHI funding may be made available for municipal service providers;

THEREFORE, BE IT RESOLVED:

- (a) That Housing Services staff, in consultation with ***Hamilton is Home Coalition, of which City Housing Hamilton is a part***, prepare a list of Rapid Housing Initiative (RHI) eligible, shovel-ready locations for a possible third round of RHI funding; and
- (b) That the list of Rapid Housing Initiative (RHI) eligible, shovel-ready locations be presented to the Emergency and Community Services Committee for consideration.

5. Appointments to the Seniors Advisory Committee (Added Item 14.1)

That the recommendation respecting Appointments to the Seniors Advisory Committee be approved and released publicly following approval by Council.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

- 6.1. Garth Brown, Equality, respecting secondary suites (for today's meeting)

7. CONSENT ITEMS

- 7.3 Seniors Advisory Committee Minutes - March 4, 2022

- 7.4 Interview Sub-Committee to the Emergency and Community Services Committee Minutes – March 22, 2022

12. NOTICES OF MOTION

- 12.1. Rapid Housing Initiative (RHI) Eligible, Shovel-Ready Locations Inventory

13. GENERAL INFORMATION / OTHER BUSINESS

- 13.1. Amendments to the Outstanding Business List
13.1.a. Items Considered Completed and to be Removed
13.1.a.a. Hamilton Youth Engagement Collaboration (CES15056(b))
Item on OBL: 17-C
Addressed at the March 24, 2022 Emergency and Community Services Committee meeting as Item 8.2 – **WITHDRAWN**

14. PRIVATE & CONFIDENTIAL

- 14.1. Appointments to the Seniors Advisory Committee

(Jackson/Pauls)

The agenda for the April 7, 2022 Emergency and Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

The Minutes of the March 24, 2022 meeting of the Emergency and Community Services Committee, were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Garth Brown, Equality, respecting secondary suites (added Item 6.1)

The Delegation Request from Garth Brown, Equality, respecting secondary suites, was approved, for today's meeting.

(e) CONSENT ITEMS (Item 7)

(i) Various Advisory Committee and Sub-Committee Minutes

That the following Minutes were received:

- (a) Seniors Advisory Committee – February 4, 2022 (Item 7.2)
- (b) Seniors Advisory Committee – March 4, 2022 (Added Item 7.3)
- (c) Interview Sub-Committee to the Emergency and Community Services Committee – March 22, 2022 (Added Item 7.4)

(f) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Garth Brown, Equality, respecting secondary suites (Added Item 9.1)

Garth Brown, Equality, addressed the Committee respecting secondary suites.

The delegation from Garth Brown, Equality, respecting secondary suites, was received and referred to the consideration of Report HSC22007, respecting City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (Item 8.1).

For further disposition of this matter, refer to Item 2.

(g) MOTIONS (Item 11)

(i) Shelter System Complaint Resolution Process

Councillor Clark relinquished the Chair to Councillor Nann to introduce a motion respecting Shelter System Complaint Resolution Process.

For disposition of this matter, refer to Item 3.

(h) NOTICES OF MOTION (Item 12)

(i) Rapid Housing Initiative (RHI) Eligible, Shovel-Ready Locations Inventory (Added Item 12.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting Rapid Housing Initiative (RHI) Eligible, Shovel-Ready Locations Inventory.

For further disposition of this matter, refer to Items 4 and (i).

(i) **MOTIONS (Item 11) (continued)**

(ii) **Rapid Housing Initiative (RHI) Eligible, Shovel-Ready Locations Inventory**

Councillor Nann relinquished the Chair to Councillor Jackson to introduce an amendment respecting Rapid Housing Initiative (RHI) Eligible, Shovel-Ready Locations Inventory.

The motion respecting Rapid Housing Initiative (RHI) Eligible, Shovel-Ready Locations Inventory, was amended by deleting the words "**CityHousing Hamilton**" and replacing them with "**Hamilton is Home Coalition, of which CityHousing Hamilton is a part,**" to read as follows:

- (a) That Housing Services staff, in consultation with **CityHousing Hamilton Hamilton is Home Coalition, of which City Housing Hamilton is a part**, prepare a list of Rapid Housing Initiative (RHI) eligible, shovel-ready locations for a possible third round of RHI funding; and

For disposition of this matter, refer to Item 4.

Councillor Clark assumed the Chair.

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

The Emergency and Community Services Committee determined that it was not necessary to move into Closed Session respecting Item 14.1.

(i) **Appointments to the Seniors Advisory Committee (Added Item 14.1)**

The Rules of Order were waived to allow for the introduction of a Motion respecting Appointments to the Seniors Advisory Committee.

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

(k) **ADJOURNMENT (Item 15)**

There being no further business, the Emergency and Community Services Committee was adjourned at 2:57 p.m.

Respectfully submitted,

Councillor B. Clark
Chair, Emergency and Community Services
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk



Hamilton

City of Hamilton's
STRATEGIC PLAN
To Create
Affordable
Housing Supply
in the Secondary Rental Market



Everyone has a home... Home is the foundation.

Second Dwelling Units provide an additional tool for creating a range and mix of affordable housing within the City of Hamilton. They also contribute to healthy and sustainable living as well as present economic benefits to their communities.



TABLE OF CONTENTS

	i Acknowledgment	4
	ii Executive Summary	5
1	Setting the Stage for A Second Dwelling Unit Strategy	6
Section	1.1 Background	6
	1.2 Introduction.....	8
	1.3 Definition	8
	1.4 Purpose.....	9
	1.5 Legislation and Policy Framework:.....	10
2	Benefits and Barriers to Creating Second Dwelling Units	14
Section	2.1 Benefits of Second Dwelling Units.....	14
	2.1.1 Second Dwelling Units are <i>Affordable Housing Solutions</i>	15
	2.1.2 Second Dwelling Units are <i>Healthy Housing Solutions</i>	16
	2.1.3 Second Dwelling Units are <i>Sustainable Housing Solutions</i>	16
	2.1.4 Second Dwelling Units are <i>Innovative Housing Solutions</i>	17
	2.2 Barriers Related to Creating and Maintaining Second Dwelling Units	18
	2.2.1 Regulatory Barriers	18
	2.2.2 Cost Barriers	20
	2.2.3 Knowledge and Navigation Barriers	21
	2.2.4 Internal City of Hamilton Process Challenges	21
3	Second Dwelling Units Consultation	22
Section	3.1 What We Heard from Stakeholder Consultations	22
	3.1.1 Cross-Departmental Advisory Group.....	24
4	Implementation Strategy and Recommendations	26
Section	4.1 Implementation Strategy	26
	4.2 Recommendations: Strategies and Action Plans	27
	4.3 Partnerships with Key Stakeholders and Senior Levels of Government.....	44
	4.4 Conclusion.....	46

i ACKNOWLEDGMENT

This plan has been built with the support of a working group made up of City of Hamilton staff from across the corporation and informed by consultations with the Housing and Homelessness Advisory Committee, Housing and Homelessness Action Planning Group, non-profits, private sector stakeholders, residents, and individuals. The strategic initiatives were created through a broad series of consultations. There are opportunities for additional future consultations highlighted within the recommendations of this plan.



ii EXECUTIVE SUMMARY

Second Dwelling Units provide an additional tool for creating a range and mix of affordable housing within the City of Hamilton. They also contribute to healthy and sustainable living as well as present economic benefits to their communities.

Ontario has progressively created a more favorable policy environment for municipalities to capitalize on the secondary rental market as a means to create more affordable housing. This Strategic Plan is an innovative approach to take advantage of this opportunity to make measurable progress on meeting Hamilton’s local affordable housing needs.

The City-Wide plan focuses on **4 strategic areas** which include **16 actionable initiatives** that can be undertaken within a **3-year window** that will contribute to creating additional affordable housing supply in the secondary rental market.

Each initiative includes an action plan, complete with a summary of the resources required and timelines needed to complete the work.

By putting these plans into action, the City will improve regulatory conditions, reduce costs, improve administrative process and promote the overall benefits of Second Dwelling Units. To that end, by undertaking this process **the City of Hamilton aims to directly create a minimum of 100 new affordable housing units** over the next 3 years **and indirectly incent the development of many more** in the secondary rental market.



SETTING THE STAGE FOR A SECOND DWELLING UNIT STRATEGY

1.1 BACKGROUND

Hamilton strives to be the best place in Canada to raise a child and age successfully. To support this vision for the City of Hamilton it is important to recognize the importance of safe, suitable, and adequate housing for all.

In 2013, Hamilton created its [10-year Housing and Homelessness Action Plan](#) (“Action Plan”) with the goal of “everyone having a home because home is the foundation.”

To reach this goal, the City and community had the intent of creating 300 new affordable housing units per year. While considerable progress was made towards reaching this goal, each year the community has fallen short of meeting this ambitious target.

In 2019, the City of Hamilton in partnership with the Housing and Homelessness Planning Group, refreshed its Action Plan with a renewed focus on finding new and innovative approaches to create and maintain affordable housing in Hamilton. Informed by in depth community consultations, one component of this innovative approach was to look at the secondary rental market as a means to address Hamilton’s gap between the supply and demand for affordable housing.

This **Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market builds** on the vision of the 10-Year Housing and Homelessness Action Plan. It puts forwards actionable solutions to reduce barriers which prevent creating Second Dwelling Units from being created in the first place, proposes measures to incent their development, all while educating stakeholders on the merits, roles and responsibilities of creating, maintaining, and renting these units. This approach will work to reach the Action Plan’s goals of increasing the number of secondary units in Hamilton, and diversifying the geographical footprint of affordable housing options in Hamilton.



This plan also builds on parallel work completed throughout the City, such as:

- In 2018, the City endorsed amendments to City of Hamilton Zoning By-law No. 6593 to allow Second Dwelling Units in Detached Structures for properties adjoining a laneway in Wards 1-4. ([PED16200\(b\)](#))
- In 2019-20, the City of Hamilton underwent a process of updating its Age Friendly Plan. Included in this plan are measures to support the development of Second Dwelling Units as they improve housing choice for seniors and support multigenerational living alternatives.
- In December 2019, Council endorsed amendments to Section 19 of Hamilton Zoning By-law No. 6593 which either eliminates or reduces the requirements in minimum dwelling sizes and lot sizes, and reduced parking requirements in Wards 1, 8, and parts of 14.
- In September 2020, as part of the Residential Zone Project within the City of Hamilton Zoning By-law No. 05-200, staff prepared a Discussion Paper of Second Dwelling Units to bring forward suggestions on reforms that could be made to zoning regulations to promote Second Dwelling Units.

The successful implementation of the initiatives outlined in this plan will rely on the collaboration of homeowners, community stakeholders, non-profit and private sector partners working with the City to increase supply of units.

Through cooperation and collaboration with these partners the City of Hamilton is committed to implementing the Strategic Plan to Create Additional Affordable Housing Supply in the Secondary Rental Market and fulfilling the vision that everyone has a home because home is the foundation.

1.2 INTRODUCTION

The City of Hamilton faces increasingly scarce and limited resources to invest in creating affordable housing.

Traditionally, the City of Hamilton and community partners have relied largely on creating new units in the primary rental market through the construction of large multi-residential apartment buildings. While multi-residential style rental apartments are needed in Hamilton, local stakeholders acknowledge that more can be done to create additional housing, additional choice and more affordability in the community. One of these alternatives is exploring opportunities in the secondary rental market.

Second Dwelling Units are a market driven solution to the unmet demand for affordable housing which amounts to a ‘win-win-win’ policy reform for Hamilton.

Benefits of Second Dwelling Units include:

- Offer affordable housing choice within the existing housing stock in established communities to assist both owners and tenants
- Assist in meeting growth and density targets through ‘gentle intensification’
- Provide healthy alternative living choices for seniors and families
- Create economic development opportunities for homeowners, investors and local contractors

The supply of rental housing chronically lags far behind demand. It is the mismatch between supply and demand that causes rents to increase. Creating second units, whether they are rented at-market or below-market rent, leads to the increase of aggregate supply of available rental units, which over time, will help address this gap and ease the pressure on the rental market in Hamilton.

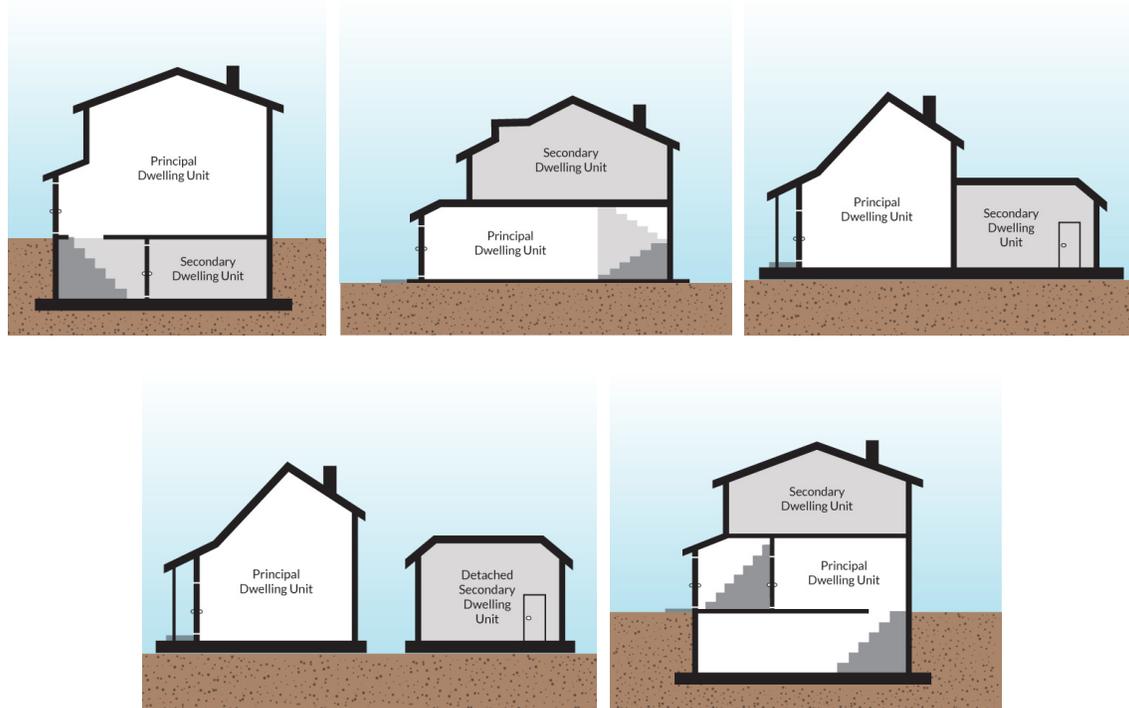
1.3 DEFINITION

Second Dwelling Units (“SDU’s”) or (“Second Units”) or (“Secondary Suites”) have the following characteristics; they are:

- self-contained units meaning they have their own kitchen, bathroom, living area, and separate entrance;
- located on the same lot as the principal dwelling;
- subordinate to the principal dwelling insofar as its gross floor area is smaller than the gross floor area of the principal dwelling. Second Dwelling Units are an accessory to the principal dwelling;
- Known for having flexible living arrangements where the principal or Second Dwelling Unit can act as a rental arrangement or for intergenerational living.

Second Dwelling Units can take the form of and are also commonly referred to as second units, basement apartments, granny-suites, garden suites, laneway housing, coach houses, accessory dwelling units, in-law suites and others.

This strategic plan will use the terms secondary suites or second dwelling units interchangeably.



1.4 PURPOSE

The development of a **Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market** is specifically to:

- Expand the tools in the City’s toolbox to create and maintain affordable housing for people in Hamilton;
- Create affordable housing supply at a reduced cost per unit;
- Assist in meeting supply targets outlined in Hamilton’s 10-Year Housing and Homelessness Action Plan;
- Raise awareness and knowledge of the value of the secondary rental market as a means of providing affordable housing supply.

Within 3 years, the City can make meaningful investments in Second Dwelling Units which will have a demonstrable and immediate impact on housing supply.

1.5 LEGISLATION AND POLICY FRAMEWORK:

Connection with the 10-Year Housing and Homelessness Action Plan

This strategy aligns within over a decade of progressive Provincial regulatory reform, local strategic planning and housing policy that has incrementally opened the door for Hamilton to explore innovative housing solutions, including creating affordable housing in the secondary rental market. As part of the Province’s *More Homes More Choice: Housing Supply Action Plan*, a new affordable housing funding envelope called the Ontario Priorities Housing Initiative (OPHI), has provided a funding source to support the development of actionable strategies to create new housing supply.

This section describes in more detail the significant legislative and policy reforms and **Figure 1** provides an overview and timeline.

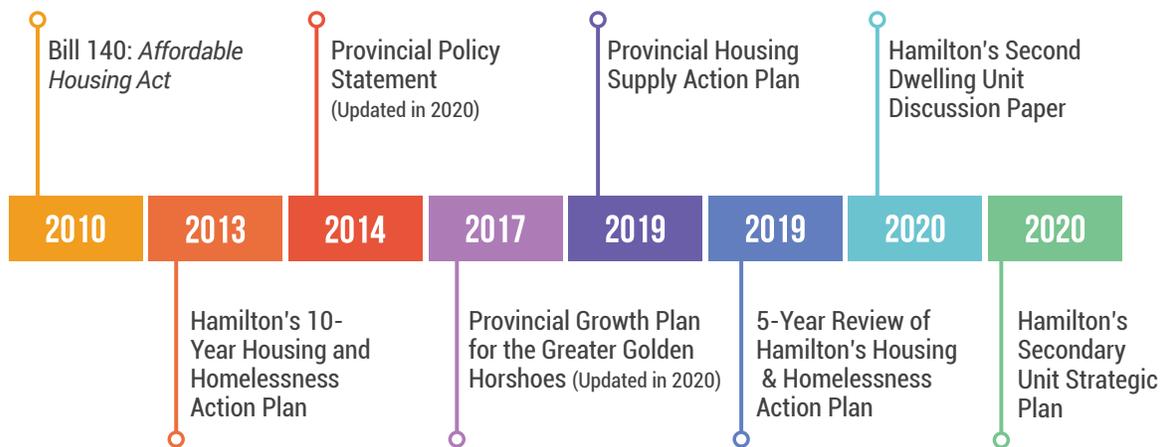


Figure 1–Timeline of Relevant Provincial Legislative and Local Policy Developments (2010-2020)

Bill 140: Strong Communities through Affordable Housing Act, 2010

Part of the Province’s *Building Foundations: Building Futures, Ontario’s Long-Term Affordable Housing Strategy (LTHAS)*, Bill 140 amended the *Planning Act* to require municipalities to establish Second Dwelling Unit policies in detached, semi-detached or townhouse dwelling or structures ancillary to detached, semi-detached and townhouse dwellings. No regulations or funding accompanied this legislation and municipalities were to permit Second Dwelling Units based on local conditions.

Hamilton’s 10-Year Housing and Homelessness Action Plan, 2013

The Housing and Homelessness Action Plan focused primarily on increasing affordable housing through multi-residential ‘apartment style’ buildings funded largely through grant programs and loans from senior levels of government. The one area of focus for the previous plan that impacted the secondary rental market was supporting regulatory changes associated with the Residential Zone Project within the City of Hamilton Zoning By-law No. 05-200. Strategy 1.6 and Strategy 2.1 both focused on modernizing zoning

regulations that limited opportunities for homeowners to create Second Dwelling Units through converting single dwellings into duplexes or triplexes. These higher densities can provide opportunities for more affordable housing.

Provincial Policy Statement (“PPS”), 2020

The PPS 2020 includes a set of policy directions where land use planning decisions made in the Province must be consistent with the document. The PPS was updated in 2020 and includes policies related to Second Dwelling Units.

Specifically, Policy 1.4.3b) stated that “planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements ... including Second Units, and Policy 1.1.3.3. which stated that “the provision of Second Dwelling Units contributes to affordable housing and provides for a full range and mix of housing types”.

Permitting Second Dwelling Units in Hamilton will also achieve livable and complete communities where one can live, work, shop, and play within the same community, and also contribute to a range and mix of housing types (Policy 1.1.1b).

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“GGH”), 2019

The GGH 2019 provides direction on development and growth management regulations and guidelines for Ontario’s most populous region. It prescribed more specific minimum density/intensification targets and directly linked the achievement of these targets in Policy 2.26 by municipalities “identifying a diverse range and mix of housing options and densities, including Second Units and affordable housing to meet projected needs of current and future residents.”

Further, Policy 2.2.1.9 identifies major transit station areas will be supported by planning for a diverse mix of uses such as Second Dwelling Units to support existing and planned transit service.

More Homes, More Choice: Housing Supply Action Plan, 2019

The *Housing Supply Action Plan* implemented a suite of legislative, regulatory and policy changes across multiple ministries with the goal of eliminating unnecessary steps, duplication of regulation and removing barriers to creating housing in Ontario. This legislation aimed to make creating Second Dwelling Units easier and more affordable.

Specific to Second Dwelling Units, the omnibus bill re-enacted language in the *Planning Act*, to require policies in Official Plans “authorizing additional residential units by authorizing two residential units in a house and by authorizing a residential unit in a building or structure ancillary to a house.” The bill also repealed and replaced Sec 3 of the *Development Charges Act, 1997* to now read “the creation of a Second Dwelling Unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, is, subject to the prescribed restrictions, exempt from development charges.”¹

¹ Note: The City has yet to amend the Development Charges By-Law to reflect all recent changes in the legislation

5-Year Review of Hamilton’s Housing & Homelessness Action Plan, 2020

The Action Plan was reviewed and revised, and actions were reprioritized to assist Hamilton to better meet its overall targets. To meet community goals of creating additional supply of affordable units, the revised Action Plan called for a specific strategy and implementation plan to increase the supply of Second Dwelling Units.

In addition, for the first time the plan installed targets specific to creating Second Units. The plan committed to:

- “Increase the number of new and legalized existing second units by 25% per year”
- “Increase the number of new affordable rental units built outside of the downtown by 25% annually... using second units to do this within existing planning regulations”
- “Increase the diversity of housing forms, types, tenures, and affordability in all urban areas of the City”

Hamilton’s Second Dwelling Unit Discussion Paper, 2020

As part of public consultations on changes to Zoning By-Law No.05-200, a discussion paper on Secondary Dwelling Units including considerations to permit the accessory use on lots containing single detached, semi-detached and street townhouses was presented. Considerations included permitting Second Dwelling Units through new construction and conversions. Suggested guidelines considered reducing impact from abutting neighbours such as privacy, overlook, shadowing, and loss of greenspace and usable backyard space. In May 2021, the City of Hamilton Council approved By-laws Nos. 21-071 to 21-077, inclusive to amend the City of Hamilton Zoning By-law No. 05-200 officially endorsing the above considerations.

Hamilton’s Strategic Plan to Create Additional Affordable Housing Supply in the Secondary Rental Market, 2021

This plan is the City of Hamilton’s strategic approach to leverage progressive Provincial legislation and regulatory changes, local planning and housing reforms, available Provincial funding and comprehensive grassroots support to create more affordable housing in the secondary rental market.

The strategy has 3 goals:

1. Maintain the supply and improve the quality of existing affordable Second Dwelling Units;
2. Increase the quantity of affordable rental units;
3. Educate and increase the knowledge of key stakeholders about the important role Second Dwelling Units and the secondary rental market plays as part of Hamilton’s long-term approach to making housing more affordable

In summary, this plan puts forwards actionable solutions to reduce barriers which prevent creating Second Dwelling Units from being created in the first place, proposes measures to incent their development, all while educating stakeholders on the merits, roles and responsibilities of creating, maintaining, and renting these units.

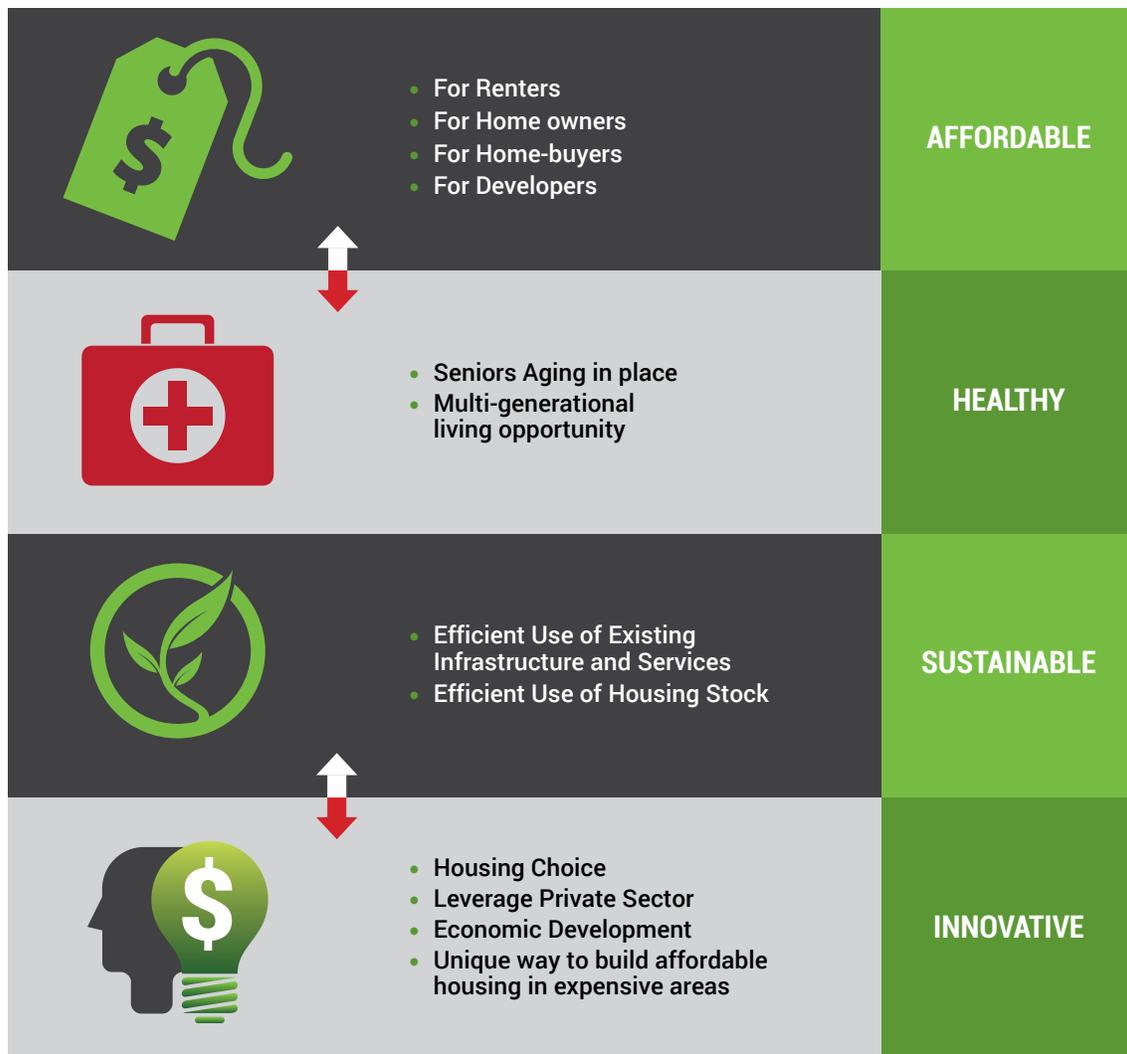
Within 3 years, the City aims to capture this momentum to make meaningful investments in Second Dwelling Units which will have a demonstrable and immediate impact on housing supply in Hamilton.



BENEFITS AND BARRIERS TO CREATING SECOND DWELLING UNITS

2.1 BENEFITS OF SECOND DWELLING UNITS

Second Dwelling Units provide tremendous benefits to homeowners, tenants and the broader community. They make housing more **affordable**, provide long-term **healthy** alternative housing arrangements for households including seniors and families, they contribute to community **sustainability** and are **innovative** housing solutions.



2.1.1 Second Dwelling Units are **Affordable Housing Solutions**

For Renters...

- Average monthly rental costs for Second Dwelling Units are typically lower compared to newly constructed multi-residential apartments.
- The City of Hamilton has one of the longest waiting lists for affordable housing in the Province. Second Dwelling Units provide a solution to meet some of the demand for affordable rental housing for people on the waitlist.
- They offer affordable opportunities for households facing the greatest financial challenges such as youth, older adults, new immigrants and lone-parent families.

For Homeowners...

- They provide rental income to assist with meeting monthly mortgage payments or help assist with everyday costs.

For Home-Buyers...

- Factoring in the income received through renting a Second Dwelling Unit provides access to homeownership for first time homebuyers with limited equity requiring assistance in carrying a mortgage. The additional income can be the difference between being unable to afford the carrying costs of a mortgage and making home ownership viable.

For Developers...

- They can create affordable housing at a reduced cost per unit. The Housing Services Division completed a study estimating that creating a Second Dwelling Unit can cost 1/3 to 1/2 the total cost of creating a new unit in a multi-residential apartment building.
- Section 15(a) of the City of Hamilton’s Development Charges By-law No. 19-142 exempts development charges when adding up to two additional dwelling units within an existing single detached dwelling or permitting one additional dwelling unit in any semi-detached or row dwelling. This further reduces development costs.
- An update to the City’s Parkland Dedication By-law No. 18-126 was approved on May 23, 2018, which included a fixed cash-in-lieu rate of \$869 for Second Dwelling Units. Previously, the fees associated with developing a Second Dwelling Unit would have been up to \$42,000.

2.1.2 Second Dwelling Units are **Healthy Housing Solutions**

For Seniors...

- Second Dwelling Units allow for ageing in place. Drawing from recommendations in the City of Hamilton’s Age Friendly Plan, older adult homeowners with fixed incomes requiring assistance can rent the primary residence to a family member while ageing in place in the Second Dwelling Unit. This allows seniors to remain close to their doctor, church and existing social network and/or provide care or support to family members.
- A caregiver may also reside in the Second Dwelling Unit and provide assistance to an elderly person or family member.

For Families...

- Second Dwelling Units provide opportunities for multi-generational living on a single lot.

2.1.3 Second Dwelling Units are **Sustainable Housing Solutions**

For Infrastructure & Services...

- Second Dwelling Units make better use of existing infrastructure, (electricity and water) and services (schools and recreational services). In older suburban communities as demographics shift over time the demand for such services is reduced. Adding additional population in the community helps to sustain these services.
- They provide an opportunity to continually maximize the use of space in existing housing stock. An ‘empty nester’ family can convert a second floor or unused basement into a Second Unit.

For the Environment...

- Second Dwelling Units are a form of ‘gentile intensification.’ They provide a viable alternative to greenfield development or high-density housing development.

For Local Government...

- Second Dwelling Units increase property values improving the highest and best use of the land; therefore, generate additional property tax revenue for the municipality. Tax compliance costs incurred by the homeowner are significantly offset by the revenue gained through the ongoing rental income received.

2.1.4 Second Dwelling Units are Innovative Housing Solutions

- In expensive single-detached dwelling dominated areas, Second Dwelling Units provide affordable housing choices that would otherwise not exist as other built forms of housing which are typically affordable (high-rise apartments with small square footage) are not permitted in these areas.
- The process brings together non-traditional stakeholders and provides access to previously inaccessible capital to create affordable housing:
 - Creating Second Dwelling Units provides the rare opportunity to access privately owned land and access capital owned by private citizens to build affordable housing, which is a community benefit.
- Given the current environment of historically low borrowing costs for private individuals, this is a timely initiative.
- Creating Second Dwelling Units supports local job creation. Typically, these home renovations have smaller margins and are completed by local, licensed contractors and tradespeople who live and work in Hamilton.



2.2 BARRIERS RELATED TO CREATING AND MAINTAINING SECOND DWELLING UNITS

Summarized in **Figure 2** the word cloud below is an overview of the perceived and real barriers to creating and maintaining Second Dwelling Units in Hamilton identified by homeowners, contractors, realtors, landlords, tenants, advocates, service providers, city planners and housing experts and community stakeholders.



Figure 2—Barriers Related to Creating & Maintaining Second Dwelling Units

The goal of developing this strategic plan is take forward actionable solutions to address some of the key barriers in place that prevent Second Dwelling Units from being created in the first place and put forward reforms to allow, incent, educate and promote the creation of Second Dwelling Units in Hamilton.

2.2.1 Regulatory Barriers

The current regulatory environment makes it challenging to create and maintain Second Dwelling Units

Restrictive zoning regulations limit the ability of markets to adapt to constantly shifting housing demand. Currently, outdated pre-amalgamation zoning regulations exist in which act as barriers to create Second Dwelling Units on properties that would otherwise be suitable for development in Hamilton.

These Zoning By-laws that existed prior to amalgamation are required to be replaced with a **comprehensive Zoning By-law** that will allow for Second Dwelling Units ‘as of right’. With Provincial legislation now requiring municipalities to update their Official

Plans and Zoning By-laws to permit Second Dwelling Units, there is an opportunity for Hamilton to now permit Second Dwelling Units in places such as Stoney Creek and Waterdown where the development of Second Units were previously not permitted. Other regulatory barriers such as rental licensing have the potential to impact the supply of Second Dwelling Units, especially affordable stock.

On the other side of the coin, there are examples of under-regulation which impact the supply of Second Dwelling Units. For example, the rapid growth of Short-Term Rental units (Airbnb) in Hamilton which would otherwise be legal Second Dwelling Units to tourists rather than local tenants in need of affordable, long-term tenured, rental accommodations.

Great work is already being done to remedy regulatory barriers at the City:

- In 2018, the City began its Laneway Housing pilot project which permitted the creation of Second Dwelling Units with access to alleyways
- In 2019, the City began work examining the effects of rental licensing and Second Dwelling Units; whereas, the City Initiative CI-19-D–Accessory Dwelling Units–Pilot Project for Wards 1 and 8; and, creating the Temporary use By-law to amend certain zoning regulations for Section 19 in Zoning By-law No. 6593
- In 2020, Planning and Economic Development Department released their Second Dwelling Unit Discussion Paper which put forward a series of proposals to relax the regulatory barriers around local Zoning By-Laws.
- In 2020, City staff began looking into regulating Short Term Rental Units
- In 2021, the City of Hamilton Council approved By-laws Nos. 21-071 to 21-077, inclusive to amend the City of Hamilton Zoning By-law No. 05-200 to permit One Secondary Dwelling Unit (SDU) within the principal dwelling and one detached SDU on a lot containing a Single Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling in the Urban Area; One SDU within a Single Detached Dwelling and a Semi-Detached Dwelling in the Rural Area; Locational, design, parking, and other technical regulations related to Secondary Dwelling Units in the Urban Area; and, Minimum lot area, adequate service, parking, and other technical regulations related to Secondary Dwelling Units in the Rural Area.

As part of this Strategic Plan, the City will build on these initiatives to create a regulatory environment more suitable for Second Dwelling Units.

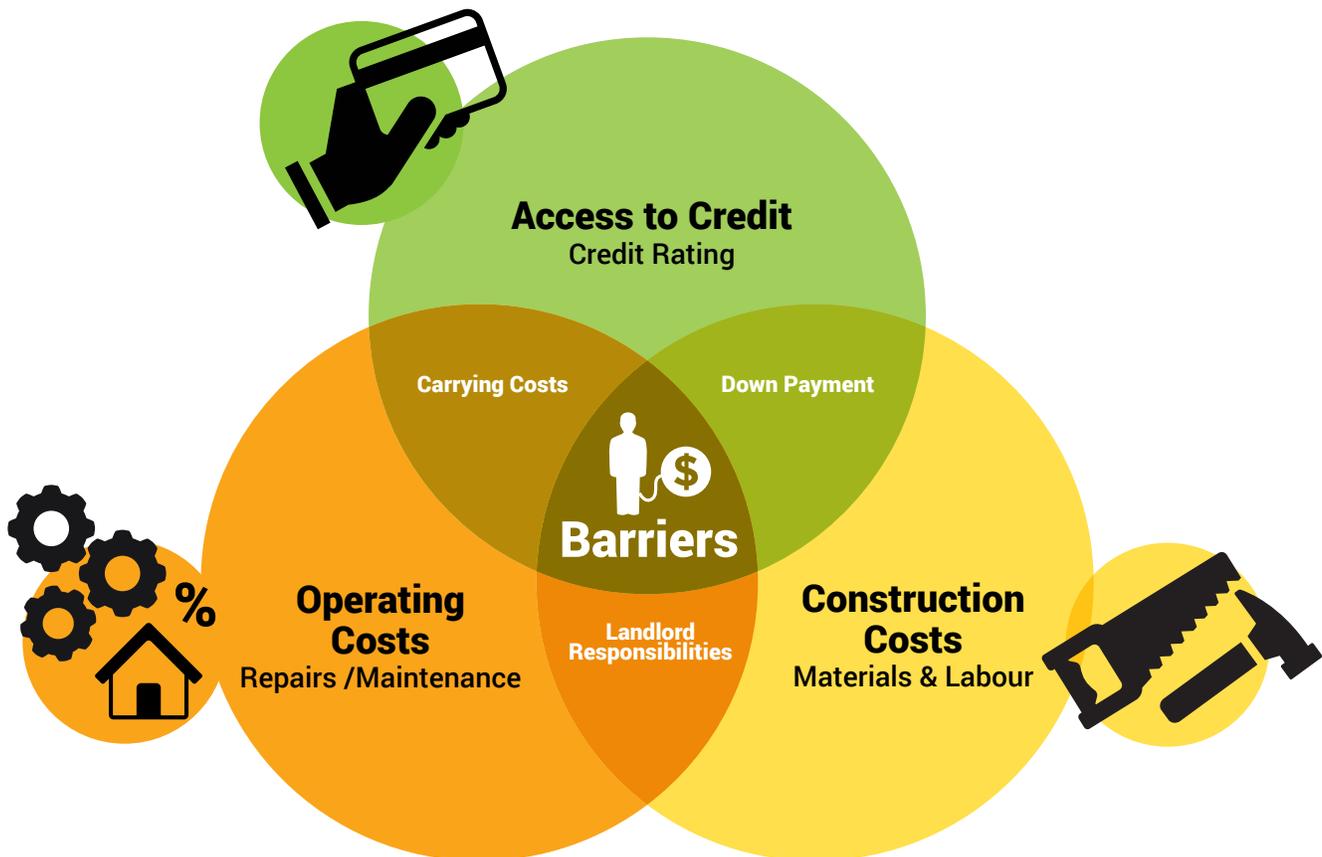
2.2.2 Cost Barriers

There are economic barriers which prevent people from creating and maintaining Second Dwelling Units

A modest conversion of a basement to a legal secondary suite will cost **\$60,000- \$80,000** or more. Beyond the costs of physically constructing a Second Dwelling Unit, there are several less visible financial and economic barriers that make the dream of creating a Second Dwelling Unit out of reach for many people. These costs include, but are not limited to:

- Gaining access to credit and the carrying costs of financing
- Labour and material costs directly related to construction
- The time and costs associated with attaining permits and paying City imposed fees and charges
- The time and costs related to acting as a landlord including ongoing repairs operating costs

As part of this Strategic Plan, the City will put forward measures to address the costs that make it prohibitive for people to create Second Dwelling Units.



2.2.3 Knowledge and Navigation Barriers

Community stakeholders, homeowners and tenants have barriers which can prevent them from creating Second Dwelling Units

Consultation with key stakeholders revealed several challenges related to a lack of access to information, technical knowledge and understanding which can impede the creation of Second Dwelling Units in the City of Hamilton. They include but are not limited to:

- Homeowners often do not fully understand the costs and benefits associated with creating and maintaining a Second Dwelling Unit:
 - A typical homeowner is generally not aware of what the expected yield and rate of return would be on a potential investment in a Second Dwelling Unit. Similarly, they are not always aware of the ongoing costs related to maintenance and repair.
 - Many prospective investors are dissuaded from making an investment by perceived myths of the negative impacts of Second Dwelling Units (impacting property value).
- Landlords and tenants can be unclear of their responsibilities:
 - The *Residential Tenancies Act 2006* is complicated. New landlords are often unsure of their obligations and tenants can be unsure of their rights. These lines can become blurred if there is an existing personal relationship between the tenant and landlord.
 - Managing an ongoing relationship with the tenant can be daunting to a homeowner so some are unwilling to undertake the responsibilities of being a landlord altogether.
- Developers, Realtors and Homebuilders often need support advocating for and illustrating the value of Second Dwelling Units to homebuyers and investors.
- People who want to build Second Dwelling Units often need help navigating the municipal approvals process to create legal, affordable, quality units.

As part of this Strategic Plan, the City will support a series of initiatives that educate and inform key community stakeholders which will make it easier to create and maintain Second Dwelling Units.

2.2.4 Internal City of Hamilton Process Challenges

Existing processes could be improved to support creating a greater supply of affordable Second Dwelling Units

Several City departments deal directly with regulating, managing, creating, renovating, enforcing as well as supporting tenants and landlords in Second Dwelling Units in Hamilton; however, until the development of this strategic plan, there has not been a unified approach to moving forward with all these parallel initiatives together towards a common goal – creating and maintaining the supply of Second Dwelling Units.

As part of this Strategic Plan, the City will modernize key internal business processes to make it easier to create and maintain Second Dwelling Units.

SECOND DWELLING UNITS CONSULTATION

3.1 WHAT WE HEARD FROM STAKEHOLDER CONSULTATIONS

Stakeholder Roundtables

Many stakeholders were consulted in the development of the strategic plan. These stakeholders represent thousands of businesses, individuals and community groups in Hamilton.

Consultations included the following groups:

- Housing and Homelessness Advisory Committee
- Housing and Homelessness Action Planning Group
- Canada Mortgage and Housing Corporation
- Province of Ontario
- West End Home Builders Association
(formerly *Hamilton Homebuilders Association*)
- Realtors Association of Hamilton Burlington
- Hamilton District Apartment Association
- McMaster Off Campus Housing Office
- McMaster Students Union
- Mohawk Students Union
- Mohawk Off-Campus Housing Office
- Durand Neighbourhood Association
- Hamilton Social Planning Research Council
- Hamilton Regional Indian Centre

The consultation process was primarily done online and included facilitated conversations with social housing developers, private sector developers, Indigenous community representatives, post-secondary education stakeholders, experts in real estate, neighborhood groups, policy experts and housing advocates.

The consultations yielded broad support for a City-wide Second Dwelling Unit strategy that was geared towards achieving broader goals like building housing through infill development and using gentle intensification and was focused on increasing the overall supply of rental housing in Hamilton. In addition, all sectors supported the City creating an incentive program to assist with addressing the costs associated with creating Second Dwelling Units. Different models were discussed including eligible expenses, affordability parameters and key target locations for additional rental supply in Hamilton.

Numerous stakeholders recommended that a Second Dwelling Unit strategy must be broad in nature and not simply focus on construction. They recommended that initiatives should support land development, include the construction industry as well as initiatives to support landlord and tenants. Stakeholders specified that a punitive rental housing licensing bylaw would act as a significant future barrier to creating and maintaining affordable Second Dwelling Units. A summary of the key themes discussed through the consultation process include:

- Strategic Plan needs to be supply oriented
- Create incentives to create new units
- Landlords might require support and should be able to choose their own tenant
- Allow above average market rents
- Combat “Not in My Backyard attitude”
- Reduce disincentives, barriers or complex processes that exist as barriers to create Second Dwelling Units in the first place
- Regulate short term rental units
- Avoid rental licensing
- Expand where and in what dwelling types Second Dwelling Units can be created in Hamilton

This feedback was used to inform the development of the strategic plan with a focus on measures that were nearly universally endorsed and that focused on supply solutions.

The City is thankful to all the partners and stakeholders that took the time to discuss this important housing solution and for their time, patience, and expertise about the solutions that will move the community forward.

3.1.1 Cross-Departmental Advisory Group

To assist with adding to the strong feedback provided to the City through stakeholder consultations, an internal working group was developed to draft a supply related Second Dwelling Units strategy. The City of Hamilton used this cross departmental team of subject matter experts utilizing expertise from:

- Building Services Division
- Municipal Law Enforcement/Bylaw/Licensing Divisions
- Hamilton Fire Department
- Housing Services Division
- Planning Division
- Growth Management Division

As part of the development of the strategic plan, this group took the feedback generated from stakeholder consultations and analyzed existing approaches and strategies from:

- City of Kingston
- Waterloo Region
- Halton Region
- Niagara Region and the City of Welland
- Region of Peel and the City of Mississauga
- Simcoe County

Additional consultation was done through conference calls with each of the municipalities listed above to better understand the successes and challenges they have experienced with the implementation of their approaches and strategies.

The City’s subject matter experts worked on developing a strategy that was focused on increasing the supply of secondary housing units within Hamilton to meet the growing needs of the population. The goal was to create a plan that facilitates an increase of Second Dwelling Units in Hamilton while also educating all stakeholders about the benefits and responsibilities of developing, maintaining, and administering secondary units.

Strategies and actionable solutions related to this strategic plan are:

- Time bound and set to be implemented within 3 years
- Universally endorsed by the cross departmental advisory group
- Assigned metrics that can be benchmarked and tracked to evaluate progress

Key recommendations include opportunities for further consultations with key stakeholders.



IMPLEMENTATION STRATEGY AND RECOMMENDATIONS

4.1 IMPLEMENTATION STRATEGY

The City-wide plan focuses on **4 strategic areas** which includes **16 actionable initiatives** that can be undertaken within a **3-year window**.

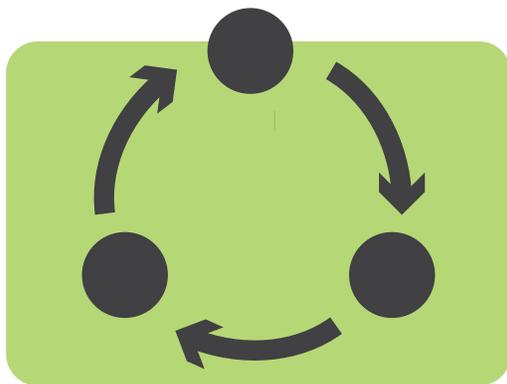
Summarized below, implementing these cross-departmental initiatives, in parallel, will contribute to creating additional affordable housing supply in Hamilton's secondary rental market.



Strategies to Create a More Suitable Regulatory Environment (4)



Strategies to Address the Financial and Economic Barriers which Prevent the ability to Create and Maintain Second Dwelling Units (2)



Strategies to Improve Internal Processes to Support Creating a Greater Supply of Affordable Second Dwelling Units (5)



Strategies to Address Communication, Knowledge and Capacity Barriers which can Prevent Creating Second Dwelling Units (5)

Each initiative includes an action plan, a summary of the resources required and timelines needed to complete the work.

4.2 RECOMMENDATIONS: STRATEGIES AND ACTION PLANS



4.2.1 Strategies to Create a More Suitable Regulatory Environment (4)

1. Create a Community Improvement Plan focused on Creating Second Dwelling Units

A Community Improvement Plan (CIP) is a tool outlined in Section 28 of the *Planning Act* that allows a municipality to take actions to support improvements and redevelopment within a specifically defined project area. Among other functions, through a CIP, the City can:

- Identify changes needed to land use planning policies, and/or other bylaws, policies, and practices to permit the creation of Second Dwelling Units;
- Provide or direct funds for the provision of affordable housing, including Second Dwelling Units;
- Provide grants and loans to owners and tenants for specific actions including constructing Second Dwelling Units; and
- Establish a vision, goals, and objectives to provide focus and direction for continuous community improvement.

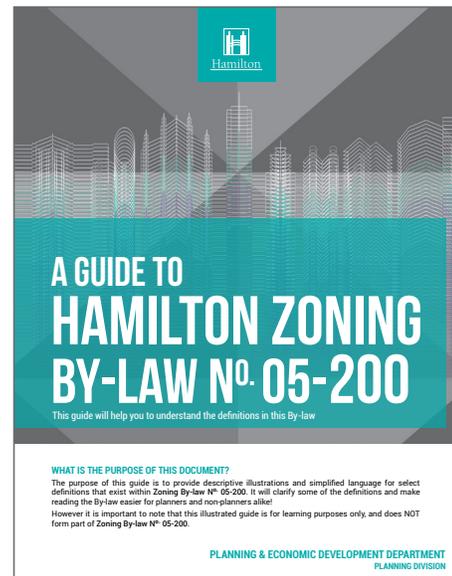
The Goal of this Community Improvement Plan:

- Build on the successes of Housing for Hamilton–Community Improvement Plan (CIP), Report: [PED19208](#) (November 2019), and Hamilton 10-Year Housing and Homelessness Action Plan Report: [CS11017\(d\)](#) (August 2020) and specifically integrate the development of Second Dwelling Units. Hamilton will seek to:
 - Identify opportunities to develop incentives and/or programs to support the development of affordable housing
 - Create mixed-income and mixed tenure neighbourhoods
 - Provide opportunities of economic investment
 - Establish new targeted areas in the City for Second Dwelling Units

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
CIP Report	Q3 2022	1.CIP creation reduces total soft cost of creating a Second Dwelling Unit by 10% (Current: ~\$3,000).	Low	Lead: Urban Renewal Division - and Housing Services Division: 0.25FTE (existing staff complement, each)
Public Meetings & Consultation	Q4 2022	2.CIP expands areas suitable to build a second unit by 10% (# of lots)		
CIP Program Guidelines	Q2 2023			

2. Prioritize and Champion Creating Affordable Second Dwelling Unit Supply as part of the Residential Zone Project within the City’s Zoning By-law No. 05-200

Led by the Planning & Economic Development Department, the City of Hamilton is currently undergoing a comprehensive review of its Residential Zoning Bylaw. The purpose of the Review is to implement more consistent residential zones across the entire urban area of Hamilton. As part of this review, extensive research and consultation is being completed on key regulations such as parking, residential care facilities and **Second Dwelling Units**.



The Goal:

- Develop new Zoning By Law regulations that create the opportunity for additional second dwelling units

This goal can be accomplished through two separate but related objectives.

Objective #1:

Expand the scope of urban residential properties that are permitted to build Second Dwelling Units in Hamilton. A secondary suite conversion can only legally occur where the City’s Zoning Bylaw’s permit it to do so.

Objective #2:

Where Second Dwelling Units are permitted, minimize the barriers and restrictions and increase flexibility on their creation and design.

- Zoning Bylaws set out the permitted uses on properties and other provisions including required parking spaces, sizes of dwelling units, setbacks of buildings from property lines, lot coverage, and many other items. **These provisions can often act as barriers to creating Second Dwelling Units.**
- When zoning bylaws only permit a single dwelling in a structure on a property, the addition of a secondary unit requires a minor variance. The minor variance process can last more than three months, and the application fee is currently \$1,475. **The added time and costs can often act as barriers.**

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Complete cross-departmental public consultation re: Second Dwelling Units	2021	# of housing sector representatives consulted	Low	Lead: Planning and Economic Development Staff – Existing Complement Housing Services Staff as Facilitation Partner - Staffing Availability

3. Review Rental Licensing Pilot Project based on its Ability to Create Additional Rental Housing and Maintain safe, Quality, Affordable Rental Housing

Complete a comprehensive cross departmental review of the Rental Licensing Pilot Project including:

- The City Initiative CI-19-D–Accessory Dwelling Units–Pilot Project for Wards 1 and 8; and, the Temporary use By-law to amend certain zoning regulations for Section 19 in Zoning By-law No. 6593 (Dec 19, 2019)

Goal of Reviewing the Rental Licensing Pilot Project

- The purpose of reviewing this future project is to identify what worked well and what lessons can be learned to inform a longer-term approach to creating safe, quality, Second Dwelling Units that is compliant with Hamilton Zoning By-law No. 6593, the Ontario Building Code (OBC) and the Fire Code of Ontario; however, that are flexible enough to encourage and maximize secondary suite development.

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Create Short Term Cross-Department Working Group	Q3 2024	Group Established by Q2 2024. Measures and targets to be established by working group.	Med	Leads: Licensing & Housing Services Shared administrative costs between Licensing and Housing Services Division
Public Meetings & Consultation	Q4 2024			Participants: Other departmental representatives
Evaluation Design and Gather Resources	Q1 2025			
Complete Evaluation	Q2 2025			
Report	Q3 2025			

4. Evaluate the Short-Term Rental Bylaw to understand the Negative Impacts on the Supply of Affordable Rental Housing in the Secondary Market

The expansion of the Short-Term Rental (STR) marketplace has caused local rental units to shift their use from serving local residents to serving tourists. The ‘hotelization’ of housing stock has been proven to hurt local low-income renters as would-be available affordable units are taken offline to be used as STR’s thereby reducing the overall supply of housing available to them to rent. This forces local tenants to compete for an ever-shrinking number of units thereby raising housing costs.

Goal of Creating a STR Bylaw

- The purpose is to analyze the implementation of the necessary regulations that minimize the negative impacts STR’s make on the supply of affordable rental housing in the secondary market in Hamilton. Staff will also explore options for generating a revenue stream towards replacing lost affordable housing

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Create Internal Working Group & Draft Bylaw	Q1 2023	List of measures in place to minimize negative impacts on affordable housing supply	Low Potential for cost recovery/ revenue generation (penalties, fines, fees)	Lead: Licensing / By-Law with support from Housing Services Staff
Create Data Sharing Protocol				
Public Meetings & Consultation				
Creation of the Bylaw				

Shared administrative costs between Licensing and Housing Services Division



4.2.2 Strategies to Address Financial and Economic Barriers which Prevent the ability to Create and Maintain Second Dwelling Units (2)

1. Establish a Subsidy Program to Create Affordable Secondary Suites

It is expensive to build a Second Dwelling Unit. The Housing Services Division completed a comprehensive costed review of different housing types and estimate that the cost of constructing a Second Dwelling Unit can range from \$40,000 to \$160,000 depending on unit location, size, and quality. In addition to labour and materials there are design fees, the costs of attaining permits, financing costs and costs related to meeting regulatory requirements. In many cases, the up-front costs become prohibitive for homeowners to invest in creating a Second Dwelling Unit.

Many municipalities (Niagara Region, City of Ottawa, City of Kingston, Simcoe County, Region of Waterloo, Halton Region and many others) recognize that costs are prohibitive and have created incentive programs to assist homeowners or landlords in creating secondary suites.

The Goal of Establishing a Subsidy Program

- Reduce the costs for homeowners and landlords in Hamilton to create Second Dwelling Units with affordable rents for low and moderate income tenants.

The City of Hamilton will create a subsidy program which will provide a grant/loan to eligible homeowners that will partially cover the costs associated with constructing Second Dwelling Units including building permits, planning and development fees and labour and materials. In exchange, the homeowner will enter into a legal agreement with the City to maintain and rent that unit at an affordable price for a set period of time.

Action Plan

KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Program Design	Q1 2022 – Q3 2022	# of units created/ year target -10 (2022) -20 (2023) -40 (2024)	High \$2.6 M over 3 years	Housing Services with support from Building Services Staff.
Program Launch	Q3 2022			

2. Seek and Advocate for New Municipal Sources of Funding to Support the Development of Second Dwelling Units

Second Dwelling Units have broader benefits beyond simply creating affordable housing stock. Second Dwelling Units provide the following residual benefits:

- **Benefits for Public Health Benefits**
 - Reduce the risk of people living in congregate living situations
- **Benefits for Growth and Development Planning**
 - Assists in meeting Hamilton’s intensification and density target through “gentle intensification”
- **Benefits for Economic Development**
 - Creates local jobs in the construction industry
- **Benefits for Urban Renewal**
 - Renovating derelict properties or maximizing use of vacant or underutilized land
- **Benefits for Tax Revenue**
 - Properties with Second Dwelling Units increase the assessed value of the home by MPAC. For example, if a single-family home that previously sold for \$350,000 has a secondary suite added, the value may increase to \$550,000, an increase of \$200,000. This would result in a requisite increase municipal property tax generating additional revenue for the community at a net benefit for the homeowner.

The Goal of Finding Broader Sources of Revenue:

The purpose of this initiative is to acknowledge that creating Second Dwelling Units results in community benefits way beyond simply creating affordable housing stock.

- The Housing Services Division has a limited amount of funding available to dedicate towards subsidizing the creation of Second Dwelling Units and a narrow mandate to create affordable Second Dwelling Units.
- The goal of this initiative is to source funding from other municipal sources to capitalize on community benefits that result from creating Second Dwelling Units.

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Establish Additional Source of Funding / Revenue Source to Create Affordable Second Dwelling Units	Q4 2025	1 new funding source by End of Q4 2025	Low	TBD



4.2.3 Strategies to Improve Internal Processes to Support Creating a Greater Supply of Affordable Second Dwelling Units (5)

1. Create a Cross-Departmental Working Group Focused on Sharing Information Related to Second Dwelling Units

Multiple Departments, Divisions and Teams work on matters that impact Second Dwelling Units. Currently, no common venue or table exists to strategize, discuss challenges, share successes, gather data or triage problems.

The cross-departmental working group will focus on:

- Developing cross-divisional data sharing procedures regarding: Second Dwelling Units
- Gathering, sharing and analyzing data/information sharing related to secondary dwelling units
- Developing common definitions, language and understanding of challenges regarding: Second Dwelling Units
- Obtaining resources required for staff lead to focus on proper data collection and coordination with various City divisions
- Working with CMHC to gather data on Second Dwelling Units using MPAC data

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Terms of Reference & Workplan	Q1 2022	Completed by end of Q1 2022	Low	Lead: Housing Services
Establishment of Data & Info Sharing Plan	Q3 2022	Regular data sharing process established, and deliverables circulated by End Q3 2022		Existing Housing Services Staffing resource Planning/MLE/Fire/ Building/ Growth Mgmt staff

2. Develop a Process to Address Tenant Displacement which could Potentially Occur as a Result of Renovating Existing Supply

The City of Hamilton wants to incent the creation of safe, quality, affordable Second Dwelling Units; however, also wants to ensure tenants and landlords are playing by the rules and safeguard tenants from falling through the cracks.

Under the provincial *Residential Tenancies Act (RTA)* landlords can, under the N13 process, evict tenants temporarily when conducting major renovations that require the unit be vacant; for example, during the process when renovating or adding a Second Dwelling Unit. The landlord must give the tenants the option to return when they are complete. Under the N12 process, landlords can evict tenants permanently if they want themselves or an immediate family member to occupy their property.

Currently, inspection staff become aware of deficiencies which result in making a unit non-compliant or illegal. They issue Orders to Comply that are enforced by municipal law enforcement staff. In most circumstances, the homeowner complies with the Order and no further action is required; however, sometimes front-line inspection and enforcement staff become aware of scenarios where as a result of their Order, the tenant is disadvantaged. For example, in some cases the unit is simply taken off the market because bringing it up to code is cost prohibitive or in other cases the tenant is evicted temporarily (or permanently) as a result of construction or other actions taken by the landlord.

The Goal of Developing a Process:

Provide supports to municipal inspection and enforcement from Housing Services Staff to prevent tenant displacement before it begins. As part of this initiative

- Staff will capture records of circumstances that may result in evictions
- Information will be shared cross-divisionally
- Housing Services staff will proactively connect with tenants to advise them of their rights and responsibilities
- Housing Services staff will connect tenants with supports (legal, housing or financial)

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Develop Formal Referral Process & Record Keeping Procedure	Q4 2022	# of households served	Low/ Med	Housing Services – Tenant Support Staff
Public Consultation	Q1 2023	# of staff trained		Existing Housing FTE job function to work as a liaison (.25 FTE) which supports MLE/ Fire/Building
Train Staff	Q1 2023	# of referrals to housing services from other depts		Housing Help Centre –Landlord Support Staff
Implement New Process	Q1 2023			MLE/Building/Fire – enforcement staff

3. Use Internal Permit Application and Committee of Adjustment Processes as “Referral Opportunities” to Create Affordable Second Dwelling Units

There are many touchpoints in existing City programs and processes that can potentially support the development of affordable Second Dwelling Units. They include but are not limited to:

1. When a homeowner applies for a building permit to create a Second Dwelling Unit, this is an opportunity to flag applicants who could potentially be eligible for the subsidy program and refer them to the appropriate Housing Services staff to access the funds to create an affordable unit.
2. At the Committee of Adjustment, when minor variances or consents are requested related to creating Second Dwelling Units, there is an opportunity for staff to refer applicants to Housing Services to access the funds to create an affordable unit.
3. When contractors register for a business license to operate in Hamilton, there is an opportunity for licensing staff to advise them of the Housing Subsidy Program, the City of Hamilton’s support of creating Second Dwelling Units and the community benefits of creating Second Dwelling Units.

The Goal:

Changes to internal communication and business processes to maximize the reach of the Housing Subsidy Program.

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Develop resources and processes	Q2 2022	# households referred through building permit application	Low	Committee of Adjustment Planning Staff
Train Staff	Q3 2022	# households referred through Committee of Adjustment		Communications + Housing Services + Licensing + Building Services staff
Implement processes	Q4 2022	# contractors served or referred to through business license registration process		

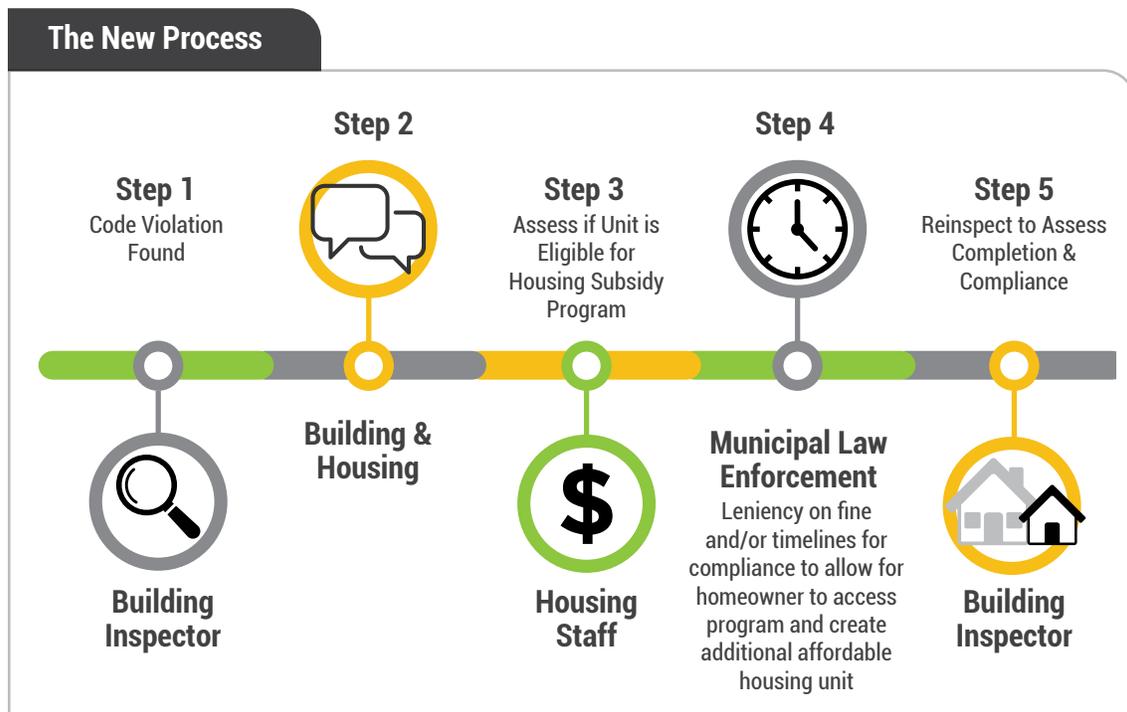
4. Reform Bylaw Enforcement Process where in Addition to Enforcing Specific Bylaws and Code Requirements, Engage and Support Homeowners to Create Affordable Second Dwelling Units

Develop a process where in addition to inspecting and ensuring units are meeting Code requirements and enforcing local By-Laws MLE/Fire/Building officers can triage and identify units which may be eligible for repair under the City's new Secondary Suite Subsidy Program and support landlords to repair their units with the goal of creating/maintaining as many affordable safe, legal units as possible.

Goal of New Process:

- Have officers act as referral points/marketing agents for the municipal subsidy program and connect potentially eligible homeowners with Housing Services Division

The purpose is to seek voluntary compliance with the goal of creating/maintaining as many affordable, safe, legal units as possible. The City has excelled at instituting 'progressive forms of enforcement' in many areas and tools such as issuing 'Notices of Contravention' may be used as a viable alternative.



Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Develop resources and processes	Q2 2022	# households referred + # of units kept online through 'progressive enforcement' process	Low/ Med	Building/Fire + MLE staff
Train Staff	Q3 2022			Housing with support from MLE, Fire, and Building
Implement processes	Q1 2023			Support from Housing Services on training

5. Create a Streamlined Building Permit Application Process and Improve the Process for Establishing a Municipal Address for those applying to create Second Dwelling Units

Building permits are issued by the municipal Building Division responsible for enforcing the Building Code in the municipality. A building permit is necessary when a developer wishes to construct a Second Dwelling Unit. Two issues being targeted through streamlined permitting include: increasing processing speed and improving the process of establishing municipal addresses.

- Based on the type of permit, the Building Division must make a decision on the application between 10-30 days of submission. In 2019, 78% of Building Permit applications were reviewed within legislated timeframes.
- Growth Management is charged with identifying and creating new municipal addresses. When a Second Dwelling Unit is created without a proper address, this impacts the ability to receive quality public services (Fire, Police and Paramedic Services).

Goal of Streamlining Building Permit Process:

- Prioritize and speed up the time it takes to apply for and process a building permit for applicants intending to create a Second Dwelling Unit.
- Improve the business process between Building Division and Growth Management Division

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Develop resources and processes	Q4 2022	100% of building permit application for Second Dwelling Units are processed within legislated timelines	Low	Lead: Building Division staff with support from Growth Management Staff and Housing Services staff
Train Staff	Q1 2023			
Implement processes	Q2 2023	New business process in place by June 2023		



4.2.4 Strategies to Address Communication, Knowledge and Capacity Barriers which can Prevent Creating Second Dwelling Units (5)

1. Create an Overarching Umbrella Communication Plan to Guide Education, Promotion and Advocacy Initiatives

Through consultation, staff learned there was a lack of access to information, technical knowledge and understanding and synergy of communication which can impede the creation of Second Dwelling Units.

Goal:

Develop a City-wide communication plan, with a focus on delivery mechanisms. This overall plan would cover a 3-5 year period and include specific deliverables and communication materials to be created, ways to engage key stakeholders and provide expectations of impact.

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Housing Services connect with Communications to develop key elements of the plan.	Start Q2 2022	Communications plan completed, number of partners taking an active role, volume of unique materials, tracking traffic to website.	Low/ Med	Lead – Housing Services
Identify new cross promotional opportunities to confirm ability				Communications support
Joint communications plans to be developed with key stakeholders	Complete Q4 2022	City webpage analytics		Internal City partners for promotion

2. Develop a Tenant/Landlord ‘Care Package’ and Distribute

Target Audience:

New landlords and tenants

Goal:

A key focus of our Second Dwelling Unit communications strategy will be focused on supporting first time Second Dwelling Unit landlords and their tenants. This will focus on responsibilities, develop a tenant/landlord ‘care package’ from the City to assist on informing about nuisance expectations, property standards, and other City services (for example: waste collection). Landlords and tenants can expect a summary of existing By-laws in a friendly and concise package.

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Develop appropriate content with Housing Services Division and MLE	Draft end of Q4 2022 Review Q1 2023	# of landlord and tenant organizations engaged	Low	Lead – Housing Services and MLE
Public Meetings & Consultation	Q1 2023		Design costs	Communications and design (external partners of Housing Help Centre-Hamilton, Hamilton Literacy Council, Hamilton and District Apartment Association)
Define distribution mechanisms for materials	Print Q2 2023		Printing costs	

3. Develop a Marketing Campaign Encouraging Development of Second Dwelling Units

Target Audience:

1. Homeowners who are considering developing a Second Dwelling Unit
2. Prospective Homeowners who wish to buy a fixer-upper
3. Investors who are looking at affordable Second Dwelling Units as income properties

The Goals of this campaign are:

- Develop an information package which informs homeowners about opportunities associated with creating an affordable Second Dwelling Unit such as income tax deductions, financing options, community benefits
- Develop an information package and other educational materials for neighbors who may oppose the creation of Second Dwelling Units in their communities and that address ‘the myths of the negative impacts of Second Dwelling Units’ (negatively impact property values, additional liabilities, etc.)
- Create online resources including an integrated “secondary suite affordable housing calculator” on a dedicated website with other key information to assist people in estimating the full costs/benefits of creating secondary suites as an investment

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Environmental scan of existing materials	Q4 2022 start.	# of units developed from new sources, program applications received	Med	Communication And Design (external partner of Homebuilders Association)
Develop working group with private sector partners	Materials designed Q1 2023 (separate strategy)	-Survey to Second Dwelling Unit developers		Lead – Housing Services
Create communications plan and distribution/ promotion plan for Second Units	Implement campaign Q2 2023			Housing with support from MLE, Fire, and Building

4. Develop a Step-by-Step Guide for Creating Second Dwelling Units

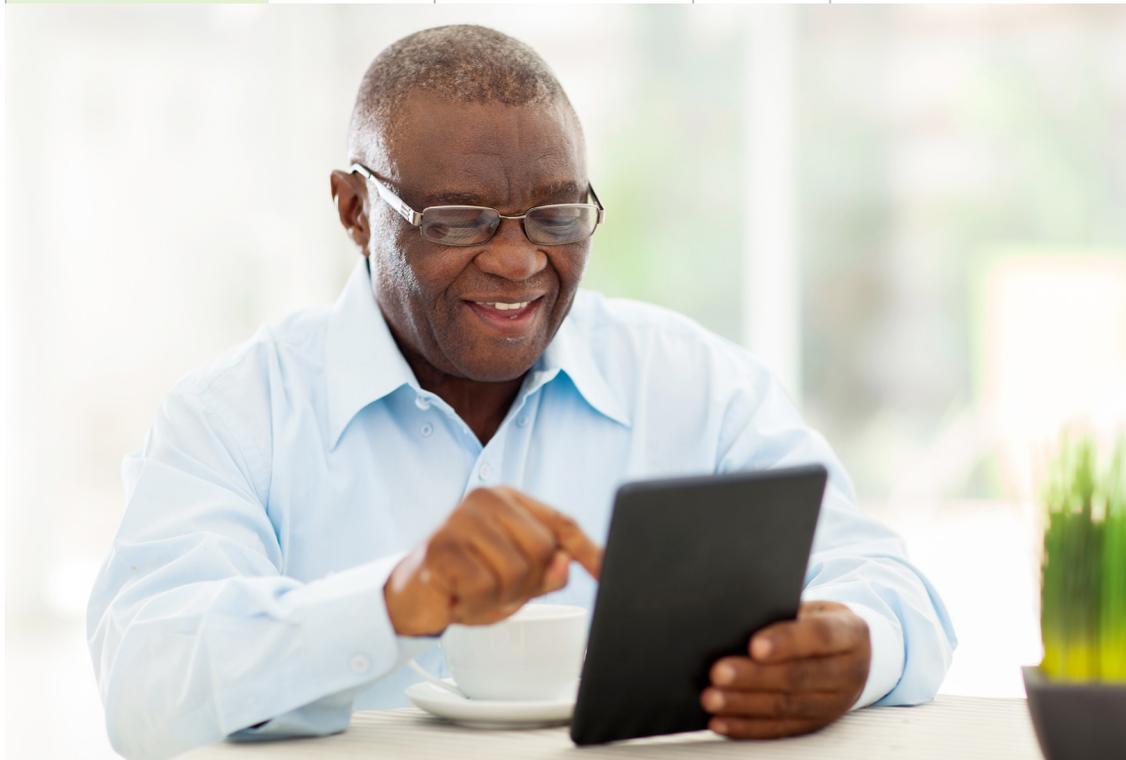
Target Audience:

People who are in the process of building a Second Dwelling Unit and need help navigating the process.

The Goals of this strategy are to:

- Create a ‘How-to-Guide’ information package for homeowners to assist them in creating legal, affordable, quality Second Dwelling Units.
- Develop a step-by-step guide to walk them through the planning and building application processes

Action Plan				
KEY ACTIONS & NEXT STEPS	TIMELINE	MEASURES / TARGETS	EST. COSTS	KEY RESOURCES
Map the entire permitting and building process	Q3 2022 first draft of 2022	# of downloads from web	Med Design	Lead: Planning /Building with support from Housing Services
Creating easy to use guide for prospective landlords	Printing Q4 2022	# of people served	Printing costs	



5. Partner with Outside Stakeholders to Prepare Communications Materials and Deliver Messaging in Support of Broader Advocacy Measures

The success of communicating the benefits and opportunities to expand housing options in Hamilton requires commitment from private sector stakeholders.

Target Audience:

- The committed partners of this implementation plan are the Social Planning & Research Council, Realtors Association of Hamilton-Burlington, Hamilton District Apartment Association and Homebuilders Association of Hamilton.
- The audience includes the memberships of the partners involved. This includes local realtors, local landlords, developers, contractors as well as local housing and poverty reduction advocates.

The Goal:

- Housing Services will work with key external stakeholders to create an advocacy program and communications materials to inform the broader community about the benefits of Second Dwelling Units.

Action Plan				
Key Actions & Next Steps	Timeline	Measures / Targets	Est. Costs	Key resources
Draft tool box of communication materials	Q3 – 2022	# of events held	Low	Lead – Housing Services (implementation of materials done by external partners)
Sign contracts with 3rd party organizations to deliver content	Q4 2022	# ppl in attendance		
Create recurring 6 month action plan(s) for promotion activities	Q4 2022			Leverage existing staff capacity to promote within private sector partners (eg. Hamilton and District Apartment Association, homebuilders)

4.3 PARTNERSHIPS WITH KEY STAKEHOLDERS AND SENIOR LEVELS OF GOVERNMENT

Successful implementation of this **Strategic Plan to Create Additional Affordable Housing Supply in the Secondary Rental Market** requires the support of partners and the engagement of stakeholders.

Partners in this plan are groups that will play an active role in financially supporting this plan, changing legislation to implement the plan, or will be actively engaged in promotion and education around Second Dwelling Units and the programs that make up this strategy.

Stakeholders will be the groups and individuals that participate in the initiatives outlined in the strategic plan to create Second Dwelling Units and will be the target audience of future engagement around this strategic plan.

There are series of actions and initiatives outside the scope of this Strategic Plan, which would work towards creating additional affordable housing supply in the secondary rental market. Some of these initiatives include but are not limited to:

Government of Canada and Federal Agencies

- Working with the Canadian Mortgage Housing Corporation (CMHC) to develop new and/or access existing mortgage financing products to assist specifically for Second Dwelling Units
- Working with the CMHC to access additional Hamilton-specific data and information related to Second Dwelling Units

Government of Ontario and Provincial/Municipal Agencies

- Supporting ongoing flexibility and use of provincial funding sources, such as the Ontario Priorities Housing Initiative (OPHI)
- Working with the Municipal Property Assessment Corporation (MPAC) to develop a new class of property unique to properties with legal Second Dwelling Units. Work to develop advantages for these properties.
- Working with MPAC to access additional Hamilton-specific data and information related to properties with Second Dwelling Units
- Working with the Ministry of Municipal Affairs and Housing to continue to reform the Building Code Act to support the development of Second Dwelling Units
- Working with City of Hamilton Departments and Not for Profit Organizations
- Continuing to leverage internal resources within the Housing Services Division and other Departments to support the development of Second Dwelling Units (tenant and landlord supports)
- Working with local Non-Profit housing developers such as Habitat for Humanity to participate in creating affordable Second Dwelling Units

Private Sector Organizations

- Real estate agents, mortgage brokers, insurance professionals, real estate lawyers, other building industry representatives (home inspectors) are some of the groups that could be involved in broader education initiatives and promotion of Second Dwelling Units. Providing these stakeholders with the information on the processes adopted by the City regarding: Second Dwelling Units as well as arming them with consistent messaging about the benefits of legal Second Dwelling Units will assist in creating more legal, safe, quality Second Dwelling Units.
- Develop relationships with Short Term Rental Platforms such as Airbnb to share local data and information.



4.4 CONCLUSION

The goal of this strategic plan is to present a set of actionable initiatives to create affordable housing supply in the secondary rental market. To achieve this goal, initiatives are jointly focused on:

1. Maintaining the supply and improving the quality of existing affordable second units in Hamilton;
2. Creating new affordable rental units in the secondary rental market;
3. Educating and increasing the knowledge of key stakeholders about the important role Second Dwelling Units and the secondary rental market plays as part of Hamilton’s long-term approach to making housing more affordable.

After 3 years, the goal is to have created several affordable Second Dwelling Units and to have laid the foundation for creating hundreds more. Executing this plan has positive spillover benefits in terms of creating economic opportunities for families and creating healthy and sustainable communities. Lastly, successfully moving forward on this plan is part of the puzzle of meeting the City’s targets under its 10-year Housing and Homelessness Action Plan.



CONTACT INFORMATION

Questions regarding this report should be directed to:

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Housing Services Division, Healthy and Safe Communities
Department, City of Hamilton

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Email: James.OBrien@hamilton.ca

Online | www.hamilton.ca/housingactionplan

and/or

Kamba Ankunda | Senior Project Manager, Special Projects
Housing Services Division, Healthy and Safe Communities
Department, City of Hamilton

Telephone: (905) 546-2424 ext.4557

Email: Kamba.Ankunda@hamilton.ca

Online | www.hamilton.ca/housingactionplan



Hamilton

City of Hamilton's
STRATEGIC PLAN
To Create
**Affordable
Housing Supply**
in the Secondary Rental Market

November 2021

CITY OF HAMILTON

MOTION

Council: April 13, 2022

MOVED BY COUNCILLOR N. NANN.....

SECONDED BY MAYOR / COUNCILLOR

Amendment to Item 2 of the General Issues Committee Report 19-017, respecting Report HUR19019 - Equity, Diversity and Inclusion Framework

That Item 2 of the General Issues Committee Report 19-017, respecting Report HUR19019 - Equity, Diversity and Inclusion Framework, which was approved by Council at its meeting of September 25, 2019, *be amended* by deleting sub-section (i) in its entirety, to read as follows:

- 2. Equity, Diversity and Inclusion Framework (HUR19019) (City Wide) (Item 10.2)**
- (a) That the City Manager to be identified as the Equity, Diversity and Inclusion Champion for the City of Hamilton;
 - (b) That Human Resources staff be directed to develop and implement an Equity, Diversity and Inclusion Steering Committee comprised of representatives from all departments and across all levels of the organization, who will be responsible to:
 - (i) Confirm appropriate definitions to guide Equity, Diversity and Inclusion (EDI) work;
 - (ii) Identify appropriate framework for EDI lens for the City of Hamilton;
 - (iii) Establish Standards of Practice;
 - (iv) Review and revise the draft Equity, Diversity, and Inclusion Handbook to be consistent and in alignment with the framework;
 - (v) Complete an updated internal environmental scan on annual basis;

- (vi) Identify key initiatives and project priorities and develop appropriate workplans and milestones for such; and,
 - (vii) Engage in appropriate internal and external consultations on above;
- (c) That Human Resources staff be directed to source, through a competitive procurement process, suitable training from an external provider of Equity, Diversity and Inclusion training, relating to such elements including, but not limited, to anti-racism, anti-oppression, unconscious bias, and inclusionary best practices;
- (d) That Human Resources staff be directed to establish a schedule for the above mandatory training to be delivered to Council members, the Senior Leadership Team, all Supervisor and above employees, and Union Executive Leadership in 2020;
- (e) That Human Resources staff be directed to source options for systems/process enhancements to support Equity, Diversity and Inclusion metric dashboard requirements;
- (f) That an amount not to exceed \$100,000, to be funded from Tax Stabilization Reserve Account #110046, to facilitate the Equity, Diversity and Inclusion 2020 training and community engagement components, be approved;
- (g) That staff be directed to report back to the General Issues Committee by June 17, 2020 with a status update respecting the implementation of the Equity, Diversity and Inclusion process; and,
- (h) That the matter respecting the Equity, Diversity and Inclusion Framework be considered complete and removed from the General Issues Committee's outstanding business list.
- ~~(i) ***That an Equity, Diversity and Inclusion Sub-committee, comprised of members of Council, to work in collaboration with the Equity, Diversity and Inclusion Steering (EDI) Committee and staff be established to develop the EDI framework.***~~

CITY OF HAMILTON

MOTION

Council: April 13, 2022

MOVED BY COUNCILLOR J. FARR.....

SECONDED BY COUNCILLOR

Amending By-law for the Removal of Strachan Street Free Running Area, and Temporary Inclusion of Jackie Washington Rotary Park Leash Free - Free Running Area (Ward 2)

WHEREAS, the City of Hamilton Recreational Trails Master Plan (2016) recommends pathway and boulevard upgrades along Strachan Street East and the City of Hamilton Cycling Master Plan Review and Update (2018) proposes 660m of paved Multi-Use Recreational Trail along Strachan Street East between James Street North and Ferguson Avenue and as such, the Strachan Street East Multi-Use Recreational Trail constructed in 2021;

WHEREAS, as a result of the Strachan Street East Multi-Use Recreational Trail alignment, the Strachan Street General Open Space is no longer in compliance with the Leash Free Parks Program Policy (PW03067) and requires removal of the leash free designation at this site (a portion of the East end of 51-134 Strachan Street);

WHEREAS, Council enacted a by-law for responsible animal ownership being City of Hamilton By-law 12-031, as amended;

WHEREAS, this By-law provides for the addition of a Leash Free Park to subsection 7.4(a) of By-law 12-031, as amended;

WHEREAS, an amendment to By-law 12-031, as amended, is required to remove Strachan Street General Open Space as an approved leash free park – free running area;

WHEREAS, a replacement leash free park location is to be constructed at Central Park (171 Bay Street North, Ward 2);

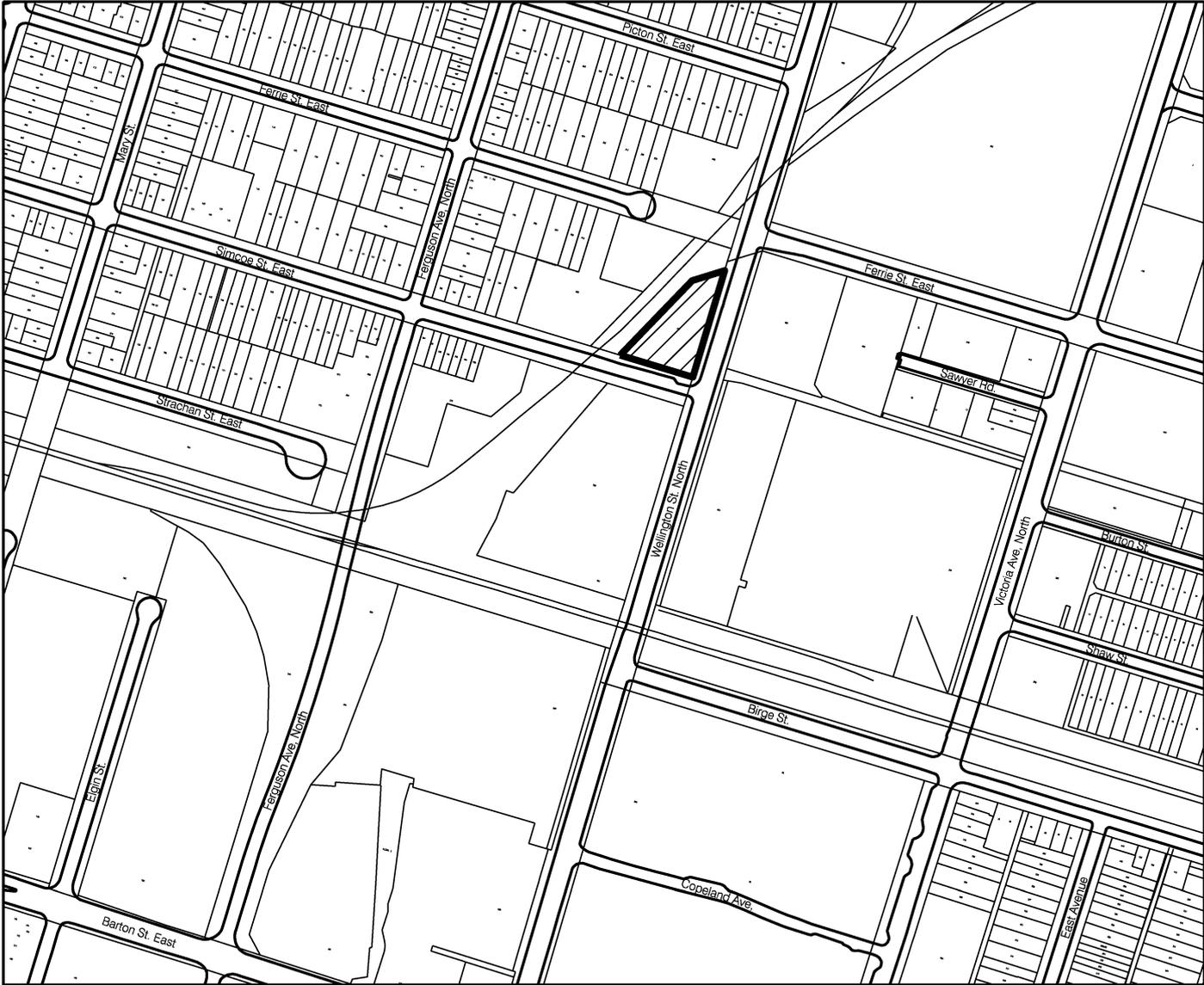
WHEREAS, a temporary leash free park to serve Ward 2 constituents is required until Central Park is complete, and a portion of Jackie Washington Rotary Park located at 371 Wellington Street North meets most of the criteria for a leash free – free running area as set out in the Leash Free Parks Program Policy (PW03067);

WHEREAS, the community was provided an opportunity to express interest, questions and concerns through Engage Hamilton, regarding a portion of Jackie Washington Rotary Park as a potential leash free park location, and 88% of the 225 respondents were either in favour or indifferent to this proposal; and,

WHEREAS, an amendment to By-law 12-031, as amended, is required to include a leash free – free running location (named Ward 2 Temporary Leash Free – Free Running Area) in Jackie Washington Rotary Park;

THEREFORE, BE IT RESOLVED:

- (a) That By-law 12-031, as amended, be further amended to:
 - (i) Remove Strachan Street General Open Space Leash Free – Free Running Area; and
 - (ii) Include the leash free-free running area in Jackie Washington Rotary Park as the Ward 2 Temporary Leash Free – Free Running Area, as indicated in Appendix “A” (Map of proposed Temporary Leash Free – Free Running Area in Jackie Washington Rotary Park);
- (b) That the City Solicitor be authorized and directed to prepare the appropriate by-law to amend By-law 12-031, as amended, a By-law for Responsible Animal Ownership, in the City of Hamilton, to remove Strachan Street General Open Space Leash Free – Free Running Area and include the Ward 2 Temporary Leash Free – Free Running Area in Jackie Washington Rotary Park.



Leash Free - Free Running Area

City of Hamilton

**Ward 2 Temporary Leash Free - Free Running Area
In Jackie Washington Rotary Park**

**CITY OF
HAMILTON**

Public Works Department
General Manager, Craig Murdoch

March 2022

COUNCIL COMMUNICATION UPDATES

March 25, 2022 to April 7, 2022

Council received the following Communication Updates during the time period listed above, the updates are also available to the public at the following link: <https://www.hamilton.ca/government-information/information-updates/information-updates-listing>, as per Section 5.18 of By-law 21-021 (A By-Law To Govern the Proceedings of Council and Committees of Council) a member of Council may refer any of the items listed below, to a Standing Committee by contacting the Clerk and it will be placed on the next available agenda of the respective Standing Committee.

Date	Department	Subject	Link
March 25, 2022	Planning and Economic Development	Metrolinx Community Engagement on the Hamilton Light Rail Transit (LRT) Project (City Wide)	https://www.hamilton.ca/sites/default/files/media/browser/2022-03-28/comm-update-metrolinx-community-engagement-lrt-project.pdf
March 25, 2022	Planning and Economic Development	2021 Census Change in Population, Units and Persons per Unit by Ward and Community (City Wide)	https://www.hamilton.ca/sites/default/files/media/browser/2022-03-28/communication-update-ped-2022-census-change-population.pdf
March 25, 2022	Public Works	Hamilton Municipal Cemeteries – Spring Maintenance Program 2022 (City Wide) (ES22003)	https://www.hamilton.ca/sites/default/files/media/browser/2022-04-08/communication-update-hamilton-municipal-cemeteries-spring-maintenance-program-march2022-es22003.pdf
March 25, 2022	Planning and Economic Development	Email Address for General Planning Inquiries (City Wide)	https://www.hamilton.ca/sites/default/files/media/browser/2022-03-28/communication-update-ped-2022-email-general-planning-inquiries.pdf
April 6, 2022	Corporate Services	2022 Municipal Election (City wide)	https://www.hamilton.ca/sites/default/files/media/browser/2022-04-08/comm-update-2022-municipal-election-april6.pdf Appendices: https://www.hamilton.ca/sites/default/files/media/browser/2022-04-08/appendices-to-comm-update-2022-municipal-election-april6.pdf
April 6, 2022	Healthy and Safe Communities	Canada-wide Early Learning and Child Care (City Wide)	https://www.hamilton.ca/sites/default/files/media/browser/2022-04-07/comms-update-canada-wide-early-learning-and-child-care.pdf

Authority: Item 14, Committee of the Whole
 Report 01-003 (FCS01007)
 CM: February 6, 2001
 Ward: 3,4,12,14

Bill No. 068

CITY OF HAMILTON

BY-LAW NO. 22-

**To Amend By-law No. 01-218, as amended,
 Being a By-law to Regulate On-Street Parking**

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

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

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>8 - No Parking</i>	<i>E</i>	Balsam	West	King to Cannon	Anytime	Deleting
<i>8 - No Parking</i>	<i>E</i>	Balsam Avenue North	West	Cannon Street East to 70 metres south thereof	Anytime	Adding
<i>8 - No Parking</i>	<i>G</i>	Balsam Avenue North	West	from 70 metres south of Cannon Street East to 23 metres south thereof	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	Balsam Avenue North	West	from 93 metres south of Cannon Street East to King Street East	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	Chateau Court	East	Scenic Drive to 69 metres south thereof	Anytime	Adding
<i>8 - No Parking</i>	<i>A</i>	Vinton Road	West	28 metres north of House Lane to 6m north thereof	Anytime	Adding

To Amend By-law No. 01-218, As Amended,
Being a By-law to Regulate On-Street Parking

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 - Permit	E	Beechwood Av.	South	33.5m west of Barnesdale Av. to 6m westerly	Anytime	Deleting
12 - Permit	E	Reid Avenue North	West	26.7 metres south of Glengrove Avenue to 5 metres south thereof	Anytime	Deleting
12 - Permit	E	Cannon Street East	North	41 metres west of Barnesdale Avenue North to 10 metres west thereof	Anytime	Adding
12 - Permit	E	Keith Street	North	from 22 metres east of Emerald Street North to 6m east thereof	Anytime	Adding
12 - Permit	E	Keith Street	South	from 22 metres east of Emerald Street North to 6m east thereof	Anytime	Adding
12 - Permit	E	Park Row South	East	47 metres south of Main Street East to 6 metres south thereof	Anytime	Adding

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 13th day of April 2022.

F.
Eisenberger
Mayor

A. Holland
City Clerk

A. Holland
City Clerk

Authority: Item 1, Planning Committee
Report 22-005 (PED22079)
CM: April 13, 2022
Ward: 3

Bill No. 069

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 386 Wilcox Street

WHEREAS Council approved Item 1 of Report 22-005 of the Planning Committee, at its meeting held on April 13, 2022.

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan.

NOW THEREFORE Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Map Nos. 749, 750, 751, 789, 790, 791, 830, 831, 832, 872, 873, 874, 915 and 916 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200 are amended by changing the zoning for portions of the subject lands from the General Industrial (M5, 433) Zone to the General Industrial (M5, 433, H123) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” to the By-law.
2. That Schedule “D” – Holding Provisions be amended by adding the following Holding Provision:
 - “123. Notwithstanding Section 9.5 and Special Exception No. 433 of this By-law, within the lands zoned General Industrial (M5, 433) Zone identified on Map Nos. 749, 750, 751, 789, 790, 791, 830, 831, 832, 872, 873, 874 and 915 of Schedule “A” – Zoning Maps and described as 386 Wilcox Street, development shall be restricted in accordance with the following:
 - a. For such time as the Holding Provision is in place, these lands shall only be used for permitted uses, buildings and structures listed in the (M5, 433) Zone;
 - b. Regulations

For such time as the Holding Provision is in place, these lands shall be subject to the regulations of the M5, 433 Zone and the following regulations:

- i. New development, including the establishment of uses permitted by the M5 Zone, and additions to existing buildings

shall be permitted to a maximum of 1,000 square metres, in accordance with the provisions of Zoning By-law No. 05-200;

- ii. Issuance of Demolition Permits shall be permitted, to the satisfaction of the Chief Building Official;
 - iii. Relocation of existing buildings and structures on site shall be permitted provided there is no increase in Gross Floor Area with the exception to additions up to a maximum of 1,000 square metres as set out in a) above, to the satisfaction of the Chief Building Official; and,
 - iv. Site remediation and earthworks shall be permitted, to the satisfaction of the Director of Growth Management.
- c. Conditions for Holding Provision Removal

The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision, provided that the following conditions have been satisfied for such portion of the lands:

- i. The Owner submit a Concept Plan for the lands to the satisfaction of the Director of Planning. The Concept Plan shall include guidance on:
 - 1) Precincts and the distribution of land uses and buildings within each precinct;
 - 2) Road and rail network; and,
 - 3) Phasing.
- ii. The Owner shall provide a Master Servicing Plan, including a Transportation Master Plan, for the retained and severed portion of the lands to the satisfaction of the Director of Growth Management and Director of Transportation and Parking. Furthermore, the Owner shall develop a Terms of Reference to complete the Master Servicing Plan and Transportation Master Plan to the satisfaction of the Director of Growth Management and Director of Transportation and Parking;
- iii. The Owner enter into and register on title a Joint Use Agreement and/or Development Agreement (if required) to implement the Master Servicing Plan, to the satisfaction of the Director of Growth Management; and,
- iv. The Owner submits and receives approval of an Implementation Strategy to illustrate how the Concept Plan and Master Servicing Plan, including a Transportation Master Plan, may be

implemented through additional Planning Act approvals such as Draft Plan of Subdivision, Draft Plan of Condominium and/or applications for Site Plan Control, to the satisfaction of the Director of Planning and Chief Planner, Director of Transportation and Parking and Director of Growth Management.

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

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAR-22-009



This is Schedule "A" to By-law No. 22-
 Passed the day of, 2022

 Mayor

 Clerk

Schedule "A"
 Map forming Part of
 By-law No. 22-_____
 to Amend By-law No. 05-200
 Maps 749, 750, 751, 789, 790, 791, 830,
 831, 832, 872, 873, 874, 915 & 916

Subject Property
 386 Wilcox Street

-  Block 1 - Change in Zoning from General Industrial (M5, 433) Zone to General Industrial (M5, 433, H123)
-  Block 2 - Other lands owned by occupant

Scale:
 N.T.S
 Date:
 March 9, 2022

File Name/Number:
 ZAR-22-009
 Planner/Technician:
 AB/AL



Authority: Item 8, Planning Committee
Report: 22-004 (PED22001)
CM: March 30, 2022
Ward: 15

Bill No. 070

CITY OF HAMILTON

BY-LAW NO. 22-

To Adopt:

**Official Plan Amendment No. 165 to the
Urban Hamilton Official Plan**

Respecting:

**Waterdown Community Node Secondary Plan
(Flamborough)**

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

1. Amendment No. 165 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 165

The following text, together with:

Appendix “A”	Waterdown Community Node Secondary Plan
Appendix “B”	Volume 1, Schedule E-1 – Urban Land Use Designations
Appendix “C”	Volume 1, Appendix A – Parks Classification Map
Appendix “D”	Volume 1, Appendix F – Cultural Heritage Resources
Appendix “E”	Volume 1, Appendix F-1 – Area Specific Cultural Heritage Resources
Appendix “F”	Volume 2, West Waterdown Secondary Plan – Land Use Plan – Map B.4.1-1
Appendix “G”	Volume 2, Waterdown North Secondary Plan – Land Use Plan – Map B.4.2-1
Appendix “H”	Volume 2, Waterdown North Secondary Plan – Road Classification Plan – Map B.4.2-2
Appendix “I”	Volume 2, Waterdown North Secondary Plan – Community Structure Plan – Appendix A
Appendix “J”	Volume 2, Waterdown Community Node Secondary Plan – Land Use Plan – Map B.4.4-1
Appendix “K”	Volume 2, Waterdown Community Node Secondary Plan – Transportation and Connections – Map B.4.4-2
Appendix “L”	Volume 2, Waterdown Community Node Secondary Plan – Cultural Heritage Resources – Appendix A
Appendix “M”	Volume 2, Waterdown Community Node Secondary Plan – Natural Heritage and Hazards – Appendix B
Appendix “N”	Volume 2, Appendix A – Secondary Plans Index Map
Appendix “O”	Volume 3, Map 2 – Urban Site Specific Key Map

attached hereto, constitutes Official Plan Amendment No. 165 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to:

- Introduce the Waterdown Community Node Secondary Plan policies and mapping into the Urban Hamilton Official Plan;
- Identify land use designations, densities, development forms, development standards and site specific policies that respond to the planned vision for the Waterdown Community Node Secondary Plan area; and,
- Amend existing policies, schedules and appendices of the Urban Hamilton Official Plan, including the West Waterdown Secondary Plan, the Waterdown North Secondary Plan and a Site Specific Policy, to reflect the principles, policies, land use designations and land use features in the Waterdown Community Node Secondary Plan.

The effect of this Amendment is to establish a detailed policy framework to guide the development of lands within the Waterdown Community Node Secondary Plan Area.

2.0 Location:

The lands affected by this Amendment are located within the former Town of Flamborough, generally bounded on the west by the westerly lot line of 219 Dundas Street East, on the east by Grindstone Creek and First Street, on the North by Parkside Drive and the northern lot line of several properties known as 257 and 273 to 285 Parkside Drive, fronting on the north side of Parkside Drive, and on the south by Grindstone Creek and the termination of Main Street South, as illustrated on Appendix “J” to this Amendment.

3.0 Basis:

The basis for permitting this Amendment is:

- The Secondary Plan helps to achieve the overall vision, goals and objectives of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and the Urban Hamilton Official Plan;
- The Amendment ensures consistency between the policies of the Urban Hamilton Official Plan and the policies in the new Waterdown Community Node Secondary Plan;
- The Waterdown Community Node Secondary Plan provides direction for

intensification and a mix of uses within the Waterdown Community Node which assist in meeting the growth targets of the Urban Hamilton Official Plan, meeting housing needs and establishing a complete community;

- The Waterdown Community Node Secondary Plan provides land use and urban design directions for the development and redevelopment of lands within the Secondary Plan area which support public health, a well-designed public realm and climate resilience;
- The Waterdown Community Node Secondary Plan aids in the long term viability of the Waterdown Community Node, as well as conserving the heritage and character of the Node and adjacent areas; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended and the Niagara Escarpment Plan, 2017, as amended.

4.0 Actual Changes:

4.1 Volume 1 – Parent Plan

Text

4.1.1 Chapter E – Urban Systems and Designations

- a. That Volume 1: Chapter E – Urban Systems and Designations, Section E.2.3 – Urban Nodes, Policy E.2.3.3.12 b) be deleted.
- b. That Volume 1: Chapter E – Urban Systems and Designations, Section E.4.3 – Pedestrian Focus Streets, Table 4.3.1 in Policy E.4.3.1 be amended by:
 - i) Amending the Dundas Street row in the Flamborough portion of the table by:
 - 1) Removing “Mill Street” from the “From” column, and replacing it with “West side of Grindstone Creek”; and,
 - 2) Amending the “To” column from “Hamilton Street” to “About 155 metres west of Hamilton Street”;
 - ii) Amending the Main Street row in the Flamborough portion of the table by removing “Barton Street” from the “From” column, and replacing it with “Griffin Street”; and,

iii) Adding the following new row in the Flamborough portion of the table:

Hamilton Street North	Dundas Street	White Oak Drive
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So the table reads as follows:

Street	From	To
Flamborough		
Franklin Street	Dundas Street	Griffin Street
Dundas Street	West side of Grindstone Creek	About 155 metres west of Hamilton Street
Mill Street	Griffin Street	South of Church Street (OPA 64)
Main Street	Griffin Street	South of Church Street (OPA 64)
Flamboro Street	Barton Street	Dundas Street
Hamilton Street North	Dundas Street	White Oak Drive

Schedules and Appendices

4.1.2 Schedule

- a. That Volume 1: Schedule E-1 – Urban Land Use Designations be amended by redesignating the lands located at 256 Parkside Drive, 3 Howard Boulevard and 4 Howard Boulevard from “Neighbourhoods” to “Mixed Use – Medium Density”, as shown on Appendix “B”, attached to this Amendment.
- b. That Volume 1: Appendix A – Parks Classification Map be amended by adding the Waterdown Community Node Secondary Plan, as shown on Appendix “C”, attached to this Amendment.
- c. That Volume 1: Appendix F – Cultural Heritage Resources be amended by:
 - i) Deleting the Heritage Conservation District boundary and the Individually Designated Properties shown within the Waterdown Community Node Secondary Plan boundary; and,
 - ii) identifying the Waterdown Community Node Secondary Plan area and labelling the area shown on the map with the following text “See Volume 2: Appendix A - Waterdown Community Node Secondary Plan”,

as shown on Appendix “D”, attached to this Amendment.

- d. That Volume 1: Appendix F-1 – Area Specific Cultural Heritage Resources be amended by:
 - i) Identifying the Waterdown Community Node Secondary Plan area and labelling the area shown on the map with the following text “See Volume 2: Appendix A - Waterdown Community Node Secondary Plan”; and,
 - ii) Deleting the boundary of the Heritage Conservation District identified as “7 Mill Street”, and removing it from the legend;

as shown on Appendix “E”, attached to this Amendment.

4.2 Volume 2 – Secondary Plans

Text

4.2.1 Chapter B.4 – Flamborough Secondary Plans

- a. That Volume 2: Chapter B.4 – Flamborough Secondary Plans, be amended by adding a new Section 4.4 – Waterdown Community Node Secondary Plan, as shown on Appendix “A” attached to this Amendment.
- b. That Volume 2: Chapter B.4.0 – Flamborough Secondary Plans, Section B.4.1 – West Waterdown Secondary Plan be amended by amending Policy B.4.1 to add the words “lands just west of” before the words “Hamilton Street” so that it reads:

“The West Waterdown Secondary Plan is bounded by Parkside Drive to the north, Dundas Street East to the south, lands just west of Hamilton Street to the east, Borer’s Creek and the Utility Pipeline to the west and is located in Waterdown.”

Maps

4.2.2 Maps

- a. That Volume 2: Map B.4.1-1 – West Waterdown Secondary Plan – Land Use Plan be amended by removing lands located generally along the southeast boundary of the plan, along Dundas Street and along Hamilton Street North, as shown on Appendix “F” attached to this Amendment.

- b. That Volume 2: Map B.4.2-1 – Waterdown North Secondary Plan – Land Use Plan be amended by removing lands located in the southeast corner of the plan at 257 Parkside Drive, as shown on Appendix “G” attached to this Amendment.
- c. That Volume 2: Map B.4.2-2 – Waterdown North Secondary Plan – Road Classification Plan be amended by removing lands located in the southeast corner of the plan at 257 Parkside Drive, as shown on Appendix “H” attached to this Amendment.
- d. That Volume 2: Appendix A - Waterdown North Secondary Plan – Community Structure Plan be amended by removing lands located in the southeast corner of the plan at 257 Parkside Drive, as shown on Appendix “I” attached to this Amendment.
- e. That Map B.4.4-1 – Waterdown Community Node Secondary Plan – Land Use Plan be added to Volume 2, as shown on Appendix “J” attached to this Amendment.
- f. That Map B.4.4-2 – Waterdown Community Node Secondary Plan – Transportation and Connections be added to Volume 2, as shown on Appendix “K” attached to this Amendment.
- g. That Appendix A to the Waterdown Community Node Secondary Plan – Cultural Heritage Resources be added to Volume 2, as shown on Appendix “L” attached to this Amendment.
- h. That Appendix B to the Waterdown Community Node Secondary Plan – Natural Heritage and Hazards be added to Volume 2, as shown on Appendix “M” attached to this Amendment.
- i. That Volume 2: Appendix A – Secondary Plan Index Map be amended by:
 - i) adding the Waterdown Community Node Secondary Plan; and,
 - ii) removing lands from the West Waterdown Secondary Plan boundary and the North Waterdown Secondary Plan boundary which are located within the boundary of the Waterdown Community Node Secondary Plan;
 as shown on Appendix “N” attached to this Amendment.

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

Text

4.3.1 Chapter C – Urban Site Specific Policies

- a. That Volume 3: Chapter C – Urban Site Specific Policies, be amended by deleting site specific UFC-1, for lands located at 61 Hamilton Street North, former Town of Flamborough, in its entirety.

Maps and Appendices

4.3.2 Map

- a. That Volume 3: Map 2 – Urban Site Specific Key Map be amended by deleting Urban Site Specific UFC-1, as shown on Appendix “O” attached to this Amendment.

5.0 Implementation:

Implementing Zoning By-Law Amendments and Site Plans will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. 22-070 passed on the 13th day of April, 2022.

**The
City of Hamilton**

F. Eisenberger
Mayor

A. Holland
City Clerk

4.4 Waterdown Community Node Secondary Plan

The Waterdown Community Node Secondary Plan encompasses a large portion of the *historic* Waterdown Village neighbourhoods built *adjacent* to the core and the commercial core of Waterdown, which is situated along Dundas Street and Hamilton Street.

The Secondary Plan area is bounded by Grindstone Creek and First Street to the east, and generally extends north to Parkside Drive, west to Goldenview Court, and south to the southern end of Main Street.

The Waterdown Community Node Secondary Plan area has a very rich history. Indigenous communities have used these lands for thousands of years. Grindstone Creek carved a gap into the Niagara Escarpment which is believed to have been a key trail route for early Indigenous peoples. The first Euro-Canadian settlers arrived in the area in the late 1700's, and European settlement continued into the first half of the twentieth century when most of the lotting pattern in the *historic* village area was established. Waterdown has retained numerous *built heritage resources* that provide a strong link to its history and contribute to a unique character. *Six significant cultural heritage landscapes* reflect the evolution of the village and are diverse in nature representing the oldest cemetery, key residential and commercial roadways, parks, and a mid-twentieth century subdivision.

The focal point of the Secondary Plan is the "Community Node" which is located in the centre of Waterdown and is oriented along two key intersecting arterial roads within the community, Dundas Street East and Hamilton Street. The Community Node contains a range of commercial uses as well as higher density residential uses, institutional uses, and a large community park. It is an important centre of activity for the community and an *essential* part of the identity of Waterdown. The central proximity of the Node to surrounding neighbourhoods and the range of services and activities it offers contributes to a *complete community* and a high quality of life for residents. The intent of this Plan is to support and enhance the function of the Node as a centre of retail, business, social and cultural activity. This will include supporting additional residential growth, to sustain a vibrant community with a range of opportunities to live, work and play.

The *historic* neighbourhoods adjacent to the Community Node are also strongly linked to the area's identity. The lot patterns, pre-1960's buildings, mature trees and other unique features within these neighbourhoods are part of the history of the original Waterdown Village and contribute to the character of the area and its 'village charm'. These areas provide a high quality of life, a strong sense of place, and support the retail and tourism draw of the Community Node. The Secondary Plan recognizes the *significant* cultural heritage value of these areas and seeks to protect the characteristics that make these areas so unique.

Section B.4.4 – Waterdown Community Node Secondary Plan, Map B.4.4-1 – Waterdown Community Node Secondary Plan- Land Use Plan, Map B.4.4-2 – Waterdown Community Node Secondary Plan – Transportation and Connections, Appendix A – Waterdown Community Node Secondary Plan – Cultural Heritage Resources and Appendix B – Waterdown Community Node Secondary Plan – Natural Heritage and Hazards, constitute the Waterdown Community Node Secondary Plan.

4.4.1 Vision

The Waterdown Community Node Secondary Plan will guide growth, *development* and change within the Secondary Plan area to 2051. *Redevelopment* and intensification are planned to occur incrementally over the long term to create a more compact mixed use area with additional housing and jobs. The Secondary Plan directs the majority of future growth to the Community Node.

The vision for the Waterdown Community Node Secondary Plan is for the area to be a vibrant, attractive and sustainable community. It will support healthy lifestyles by maintaining green spaces and encouraging pedestrian and cycling activity. It will be a great place to live for all types of households in all stages of life. The Community Node will function as the central focal point for Waterdown, providing services and amenities for residents and supporting business, retail, and social and cultural activity.

The Waterdown Community Node Secondary Plan area is a community with a primarily low-rise built form scale. The low-rise scale is envisioned to be maintained over the long term within neighbourhood areas and within the mixed use portions of the Community Node centred along Dundas Street, east of Hamilton Street. Mid-rise built form is envisioned within Community Node areas situated along Hamilton Street and the portion of Dundas Street East located west of Hamilton Street.

The *historic* identity and small town village character of the community is an important part of the Secondary Plan vision. The *historic* identity and small town village character will be celebrated and conserved, while still allowing for the integration of *compatible* and well-designed new *development*.

4.4.2 Principles and Policy Objectives

Development and land use changes in the Waterdown Community Node Secondary Plan area will be guided by the following six principles and associated policy objectives. The order in which principles and objectives are listed does not indicate priority. All principles have equal status.

a) Principle 1: Support Business in the Node

The Community Node provides an important commercial function for

the surrounding area. The variety of businesses in the Community Node, including services, retail and restaurants support the daily and weekly needs of surrounding neighbourhoods and the provision of local jobs.

The following objectives shall apply:

- i) Support business, retail and restaurants in the Node;
 - ii) Ensure that the Node continues to provide appropriate retail shopping opportunities, services and other amenities to meet the daily and weekly needs of surrounding neighbourhoods; and,
 - iii) Ensure that parking needs in the Node are met.
- b) Principle 2: Improve the Function of the Transportation Network

The transportation network is *essential* both for the movement of people within and to destinations outside of the Community Node. The network is comprised of all modes of travel, including vehicular travel, *transit*, and *active transportation*.

The following objectives shall apply:

- i) Support *infrastructure* improvements that provide for safe and efficient vehicle movement;
 - ii) Improve options for safe and efficient *transit*, walking, cycling and other modes of alternative transportation;
 - iii) Ensure barrier-free accessibility in the public realm and in all new development;
 - iv) Enhance the ability for residents and visitors to connect to shopping and amenities in the Community Node through *active transportation* and *transit* options;
 - v) Improve pedestrian and cycling connections to trails and other destinations within and outside the area; and,
 - vi) Minimize or consolidate the number of vehicular access points to properties within the Community Node.
- c) Principle 3: Conserve the Community's Heritage

The Community Node and *adjacent established historical neighbourhoods* in the Secondary Plan have a rich and vibrant history, present in a variety of landscapes and built forms.

The following objectives shall apply:

- i) Conserve existing built heritage resources and cultural heritage landscapes;
 - ii) Ensure new development is compatible with and sympathetic to existing cultural heritage resources;
 - iii) Encourage the rehabilitation, renovation and restoration of built heritage resources so that they remain in active use; and,
 - iv) Prioritize the adaptive reuse of built heritage resources over demolition or replacement.
- d) Principle 4: Improve Sustainability and Resilience to Climate Change

Cities are major contributors to increases in greenhouse gases in the atmosphere, which are causing climate change. Implementing measures to reduce greenhouse gas emissions and adapt to climate change can reduce climate change effects, help improve air quality and make the community more resilient and sustainable.

The following objectives shall apply:

- i) Promote site design approaches that contribute to climate change resilience;
 - ii) Promote the use of green building standards to create energy efficient and low carbon buildings;
 - iii) Enhance the tree canopy;
 - iv) Promote Low Impact Development (LID) approaches and treatments to help manage stormwater;
 - v) Establish electric vehicle charging stations to promote and accommodate uptake in the use of electric vehicles; and,
 - vi) Support infrastructure improvements that improve cycling and active transportation opportunities, to build climate change resiliency through carbon reduction.
- e) Principle 5: Create Attractive Places and Spaces

Creating high quality buildings and spaces in both the public and private realm is important to establish and maintain a unique sense of place and a feeling of community. Attractive places and spaces are a key element of a vibrant community.

The following objectives shall apply:

- i) Maintain the small-town community and village feel of the

Secondary Plan area;

- ii) Create attractive developments through appropriate site layout and high quality design and materials;
 - iii) Use high quality landscaping and streetscaping to create attractive, distinctive and comfortable places;
 - iv) Link the design of older and newer commercial areas to create a cohesive look and feel throughout the Node;
 - v) Provide natural landscaping elements such as trees, shrubs, grasses and plants as part of site design and streetscaping to enhance pedestrian comfort and experience; and,
 - vi) Create publicly accessible open spaces and outdoor amenity areas in new *development*.
- f) Principle 6: Provide a High Quality Equitable Living Environment

A high quality living environment includes the provision of appropriate housing for all residents as well as ensuring that the physical, social and emotional well-being of residents is supported.

The following objectives shall apply:

- i) Provide a suitable range of housing types and tenures to meet the social, health and well-being requirements of residents of all ages, abilities, incomes, household types and sizes;
- ii) Create a living environment that supports active and healthy lifestyles for all;
- iii) Promote social and cultural activity in the Community Node;
- iv) Facilitate aging in place by encouraging appropriate housing for seniors;
- v) Support the provision of *affordable* housing;
- vi) Ensure that *infill development* in the Community Node and in surrounding *established historical neighbourhoods* is *compatible* with and respects the character of the area and the cultural heritage value of *significant cultural heritage resources*; and,
- vii) Maintain and support the function of Waterdown Memorial Park as a Community Park.

4.4.3 General Policies

- 4.4.3.1 The Waterdown Community Node Secondary Plan shall guide *development*

and land use change within the Secondary Plan area. The following policies apply to the Secondary Plan area:

- a) Within the Secondary Plan area, the Community Node shall be the focus for commercial, residential and *mixed use development* within the Waterdown Community Node Secondary Plan. The majority of new *development*, particularly *mixed use development*, shall be directed to locate within the Community Node boundary;
- b) The Waterdown Community Node Secondary Plan area shall include a range of housing forms and tenures and a mix of commercial, institutional and open space uses;
- c) The City may require consultation with the Design Review Panel prior to any public or private *development* approvals, to ensure that the design objectives and policies of this Plan are reflected;
- d) Applications for an Official Plan Amendment, Zoning By-law Amendment or for Site Plan Approval which may alter the *planned function* of the Community Node or vision for the Secondary Plan or which would significantly contribute to achieving the planned function and vision of the Secondary Plan shall be referred to the Design Review Panel;
- e) The *development of affordable* housing is encouraged within the Secondary Plan area to provide a full range of housing and meet the City's *affordable* housing targets outlined in Policy B.3.2.2 of Volume 1; and,
- f) To achieve *affordable* housing targets and meet *affordable* housing needs in the community, partnerships with non-profit organizations and any other available tools or resources may be considered.

4.4.4 Community Node Policies

The boundary of the Community Node is identified on Map B.4.4-1 - Waterdown Community Node Secondary Plan – Land Use Plan. The Community Node is planned to moderately intensify over time through infilling, additions to and *adaptive reuse of existing* buildings and *redevelopment*. This transformation will include the introduction of additional residential uses in the Node.

4.4.4.1 In addition to Section E.2.3.3 Community Nodes of Volume 1, within the area identified as the Community Node shown on Map B.4.4-1 – Waterdown Community Node - Land Use Plan, the following policies shall apply:

- a) The Community Node is planned to achieve a minimum density target of 100 people and jobs per hectare by the year 2041. It is anticipated

that the Node will achieve a density of up to 145 persons and jobs per hectare by 2051 measured over the entire boundary of the area. Growth shall not exceed a density of 145 persons and jobs per hectare as measured over the whole area until such time as municipal review has been undertaken which demonstrates that adequate *infrastructure* is available or is planned and funded and the transportation network will function adequately;

- b) The Community Node contains approximately 50,000 square metres of *existing* commercial floor space. To support the planned commercial function of the Community Node, significant reductions in the total amount of commercial floor space shall not be permitted;
- c) Where *redevelopment* is proposed which will reduce the amount of *existing* commercial floor space on a site by more than 2,500 square metres, the applicant shall provide a commercial needs and impact assessment, which includes fiscal impact considerations, demonstrating to the satisfaction of the City that the reduction is appropriate and that there will be no *negative impact* to the planned commercial function of the Community Node;
- d) There are many *existing* vehicular access driveways in the Community Node. Access driveways are needed to provide access to properties, however a large number of accesses can negatively impact traffic functioning on roads and decrease safety and comfort for drivers, pedestrians and cyclists. Accordingly, it is one of the objectives of this Plan to decrease the number of vehicular accesses in the Community Node over time as properties redevelop. To achieve this objective, the following policies shall apply:
 - i) For lands fronting onto Dundas Street or Hamilton Street, only one vehicular access shall be permitted per site. At the time of *redevelopment*, sites with multiple *existing* accesses shall consolidate these accesses;
 - ii) Notwithstanding Policy B.4.4.1 d) i), on large sites with multiple tenants, uses or buildings, or on a lot with frontage on two streets, additional vehicular access points may be permitted at the discretion of the City where the additional access points will not have a *negative impact* on traffic operations or *active transportation* routes;
 - iii) For corner lots on Hamilton Street or Dundas Street which have frontage from another road, vehicular access from Hamilton Street and Dundas Street shall be discouraged and vehicular access shall be encouraged from the other road; and,

- iv) Shared vehicular accesses are strongly encouraged. Shared accesses shall be considered for new *development* where feasible.

4.4.5 Residential Designations

4.4.5.1 The residential areas within the Waterdown Community Node Secondary Plan are designated Low Density Residential 1, Low Density Residential 2, Low Density Residential 3, Medium Density Residential 2, and High Density Residential 1 as identified on Map B.4.4-1 – Waterdown Community Node Secondary Plan - Land Use Plan. *Existing* residential land use types within the Secondary Plan area have been recognized by most of the residential designations.

4.4.5.2 General Residential Policies

In addition to Section E.3.0 – Neighbourhoods Designation of Volume 1, the following policies shall also apply:

- a) A mix of housing forms, styles and tenures suitable for residents of different age groups, abilities, income levels and household sizes shall be encouraged in the Secondary Plan area;
- b) Proposals for new residential dwellings or buildings shall respect the scale and form of housing in *existing established historical neighbourhoods* and in *cultural heritage landscapes*. *Residential intensification* within these areas shall comply with Section B.2.4 – Residential Intensification of Volume 1 and other applicable policies of this Plan; and,
- c) In addition to Policy E.3.4.6 c) of Volume 1, the Zoning By-law shall establish specific standards in Low Density Residential areas to ensure that the scale and form of new *development* is sympathetic to the character of the area and compatible with *significant cultural heritage resources*.

4.4.5.3 Low Density Residential 1 Designation

In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated Low Density Residential 1 on Map B.4.4-1 – Waterdown Community Node - Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.4.3 of Volume 1, only single detached and duplex dwellings shall be permitted; and,
- b) Notwithstanding Policy E.3.4.5 of Volume 1, the maximum height shall be two and a half storeys.

4.4.5.4 Low Density Residential 2 Designation

In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated Low Density Residential 2 on Map B.4.4-1 – Waterdown Community Node - Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.4.3 of Volume 1, only single detached, semi-detached, duplex, and triplex dwellings shall be permitted; and,
- b) Notwithstanding Policy E.3.4.5 of Volume 1, the maximum height shall be two and a half storeys.

4.4.5.5 Low Density Residential 3 Designation

In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated Low Density Residential 3 on Map B.4.4-1 – Waterdown Community Node - Land Use Plan, the following policies shall apply:

- a) In addition to Policy E.3.4.3 of Volume 1, block townhouses and back-to-back townhouses shall also be permitted; and,
- b) Notwithstanding Policy E.3.4.4 of Volume 1, the *net residential density* shall be greater than 20 units per hectare and shall not exceed 60 units per hectare.

4.4.5.6 Medium Density Residential 2 Designation

In addition to Section E.3.5 – Medium Density Residential of Volume 1, for lands designated Medium Density Residential 2 on Map B.4.4-1 – Waterdown Community Node - Land Use Plan, the following policy shall apply:

- a) Notwithstanding Policy E.3.5.8 of Volume 1, the maximum height shall be three storeys.

4.4.5.7 High Density Residential 1 Designation

In addition to Section E.3.6 – High Density Residential of Volume 1, for lands designated High Density Residential 1 on Map B.4.4-1 - Waterdown Community Node - Land Use Plan, the maximum height shall be 8 storeys. *Existing* buildings with a height greater than 8 storeys may be recognized in the Zoning By-law.

4.4.6 Commercial and Mixed Use Designations

4.4.6.1 Commercial and Mixed Use designations in the Waterdown Community Node Secondary Plan provide a variety of services and retail facilities to meet the daily and weekly needs of the surrounding community. The commercial areas within the Waterdown Community Node Secondary Plan

are designated Mixed Use – Medium Density and Local Commercial, as identified on Map B.4.4-1 – Waterdown Community Node - Land Use Plan.

4.4.6.2 General Commercial Policies

- a) *Development* shall accommodate adequate internal traffic circulation, parking and manoeuvring areas on-site; and,
- b) When major *redevelopment* occurs on a site larger than 2.5 hectares *existing* as of September 2021, the *redevelopment* shall include an appropriate mix of commercial and non-commercial uses in accordance with Policy E.2.3.3.17 of Volume 1. Significant reductions in existing levels of commercial gross floor area shall be avoided. A commercial needs and impact assessment may be required to demonstrate an appropriate mix of uses.

4.4.6.3 Mixed Use – Medium Density Designation

4.4.6.3.1 In addition to Section E.4.6 - Mixed Use – Medium Density Designation of Volume 1, the following policies shall apply to the Mixed Use – Medium Density Designation, as identified on Map B.4.4-1 - Waterdown Community Node - Land Use Plan:

- a) Mixed Use – Medium Density areas in the Community Node are intended to transition over time to a more pedestrian focused and *transit-supportive* environment;
- b) To support *active transportation* and promote a pedestrian oriented environment, drive-through facilities shall be discouraged on all streets;
- c) Where a new drive-through facility is proposed on a non- *pedestrian focus street*, it shall enhance the pedestrian environment and shall not compromise the safe, efficient and comfortable movement of pedestrians; and,
- d) Policy E.4.6.8 of Volume 1 shall only apply to sites fronting onto the west side of Hamilton Street North. Building heights above 6 storeys shall not be permitted on other lands designated Mixed Use – Medium Density.

4.4.6.4 Pedestrian Focus Streets

In addition to Section E.4.3 – Pedestrian Focus Streets - of Volume 1 the following policies shall apply to all lands identified as *pedestrian focus streets* on Map B.4.4-1 – Waterdown Community Node Secondary Plan - Land Use Plan:

- a) Notwithstanding Policy E.4.3.4 b) of Volume 1, where multiple buildings are located on a single site, buildings may be located in the interior of

the site as long as the site provides an adequate block face along the *pedestrian focus street*, in accordance with Policy E.4.3.4 a) of Volume 1 and the Zoning By-law; and,

- b) Notwithstanding Policy E.4.3.4 f) of Volume 1, all lands designated Mixed Use – Medium Density identified as *pedestrian focus streets* shall have a minimum height of 2 storeys.

4.4.6.5 Local Commercial Designation

4.4.6.5.1 Section E.3.8 - Local Commercial of Volume 1 shall apply to lands designated Local Commercial on Map B.4.4-1 – Waterdown Community Node - Land Use Plan.

4.4.6.5.2 Notwithstanding Policy E.3.8.2 a) of Volume 1, the following uses shall be prohibited on lands designated Local Commercial, even as accessory uses:

- a) Drive through facilities;
- b) Motor vehicle service stations; and,
- c) Motor vehicle gas bars.

4.4.7 Parks and Open Space Designations

The parks and open space areas of the Waterdown Community Node Secondary Plan contribute to the character and cultural heritage value of the neighbourhood and are an *essential* component in the day to day life of residents, providing green space opportunities to meet both active and passive recreational needs. Parks and open spaces can also contribute positively to the health of the natural heritage system and the urban forest.

4.4.7.1 In addition to Section B.3.5.3 – Parkland Policies – and Section C.3.3 – Open Space Designations of Volume 1, the following policies shall apply to lands designated Neighbourhood Park, Community Park, General Open Space and Natural Open Space on Map B.4.4-1 – Waterdown Community Node Secondary Plan - Land Use Plan:

- a) All *existing* parks in the Secondary Plan area shall be retained for use as parks and shall not be *developed* for other uses;
- b) Notwithstanding Policy B.4.4.7.1 a), the *adaptive reuse* of the former Common School in Sealey Park for other public or community uses shall be permitted and encouraged; and,
- c) The provision of additional trails and multi-use pathways on lands designated as Parks or Open Space is encouraged and does not require amendment to this Plan.

4.4.8 Institutional Designation

Institutional uses such as schools and places of worship are important to the quality of life for residents and for maintaining a complete community. They are a strong contributor to the area's sense of place. *Existing* institutional uses are recognized throughout the Secondary Plan area.

- 4.4.8.1 In addition to Sections B.3.5 – Community Facilities/Services and E.3.0 - Neighbourhoods Designation of Volume 1, the following policies shall apply to lands designated Institutional on Map B.4.4-1 – Waterdown Community Node Secondary Plan - Land Use Plan:
- a) *Existing* buildings that have been identified as *cultural heritage resources* shall be retained and *conserved* as recommended by a *Cultural Heritage Impact Assessment* and integrated into any *redevelopment* of a site;
 - b) Where a *community facility/service* use ceases, *adaptive reuse* of *existing* buildings is preferred to maintain *existing* neighbourhood character and cultural heritage value;
 - c) In addition to *community facilities/services* uses, residential uses may also be permitted on all or a portion of a property designated Institutional without an amendment to this Plan;
 - d) Residential uses shall be developed in accordance with Section E.3.4 – Low Density Residential of Volume 1 and the policies of this Secondary Plan;
 - e) In addition to Policy E.3.4.3 of Volume 1, the following uses shall also be permitted:
 - i) Low rise *multiple dwellings* such as but not limited to block townhouses, back to back townhouses and stacked townhouses; and,
 - ii) *Multiple dwellings* in *existing* buildings designated under the *Ontario Heritage Act* that have been *adaptively reused*.
 - f) *Multiple dwelling* uses permitted by Policy 4.4.8.1 e) i) shall require approval of a Zoning By-law Amendment to establish standards specific to a proposed development which:
 - i) maintain *compatibility* with adjacent land uses;
 - ii) avoid negative impacts to *cultural heritage resources*; and,

- iii) provide sufficient dwelling unit and visitor parking for the proposed uses.

- g) Notwithstanding the design policies for Low Density Residential uses in Policy E.3.4.6 of Volume 1, any proposed *multiple dwelling* uses shall comply with the design policies for medium density residential uses in Policy E.3.5.9 of Volume 1;

- h) Notwithstanding Policy E.3.4.5 of Volume 1, the maximum height for residential uses shall be two storeys to ensure a *compatible scale of development* which respects the character of the area. The maximum height for residential uses may be increased to three storeys without amendment to this Plan subject to the following requirements:
 - i) approval of a Zoning By-law Amendment or Minor Variance application;

 - ii) demonstration that the cultural heritage value of *existing cultural heritage resources (built heritage resources and cultural heritage landscapes)* on the site and on *adjacent lands* will not be negatively impacted; and,

 - iii) provision of an appropriate transition between three storey residential uses and adjacent existing low density residential uses, which may include but is not limited to:
 - 1) An enhanced setback between the three storey buildings and adjacent *existing* uses;
 - 2) a treed landscape buffer;
 - 3) fencing or other equivalent screening;
 - 4) building design measures that reduce overlook to adjacent properties,
 - 5) building design measures that reduce the appearance of increased height;
 - 6) the separation of three storey uses from adjacent *existing* low density residential uses through the provision of an intervening one to two storey residential use; or,
 - 7) a combination of the above.

4.4.9 Utility Designation

- 4.4.9.1 In addition to Section B.3.3.6 – Urban Services and Utilities of Volume 1 and Section C.3.4 – Utility Designation of Volume 1, the following policies shall apply to lands designated Utility on Map B.4.4-1 – Waterdown Community Node Secondary Plan - Land Use Plan:

- a) Grading and drainage of land within or *adjacent* to the railway corridor in the Grindstone Creek valley shall have regard for comments from the railway operator; and,
- b) Linear utility operators are encouraged to minimize tree and vegetation removal in the management of utility property.

4.4.10 Urban Design

As *redevelopment* and *intensification* occur within the Secondary Plan, urban design plays an important role in fostering an attractive, liveable and functional community. The objective of the Urban Design policies is to ensure that future *development* in the Secondary Plan area promotes architectural and design excellence and is complementary to the area's unique character.

4.4.10.1 General Urban Design Policies

In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall apply to lands within the Waterdown Community Node Secondary Plan area:

- a) All *development* in the Secondary Plan area shall comply with the Waterdown Community Node Urban Design Guidelines and all other applicable Council adopted design guidelines;
- b) The bulk, scale and shape of buildings shall be complementary to and compatible with *existing* and planned buildings and land uses;
- c) *Development* shall provide appropriate transitions in height and massing to the *existing* built and natural context, to ensure access to light, views, and privacy;
- d) *Development adjacent* to Grindstone Creek shall create appropriate architectural and naturalized landscape transitions to Core Areas and their associated *Vegetation Protection Zones*;
- e) Climate change impacts shall be considered in site and building design for *development*. The incorporation of design approaches that foster climate change resilience are encouraged; and,
- f) The City may require consultation with the Design Review Panel prior to any public or private development approvals, to ensure that the design objectives and policies of this Plan are reflected in all projects.

4.4.10.2 Community Node Design Policies

In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following

policies shall apply to lands within the Community Node boundary as identified on Map B.4.4-1 – Waterdown Community Node Secondary Plan - Land Use Plan:

- a) New *development* shall serve to create animated and vibrant streetscapes;
- b) Buildings directly adjacent to public rights-of-way shall exhibit high quality interfaces with the public realm;
- c) Barrier-free design shall be required for all *development*;
- d) The design intent for the Community Node is to create a consistent human scale, village feel across the Node, with a two to three storey street wall fronting onto public streets. To achieve this, the following policies shall apply:
 - i) In accordance with Policy B.4.4.6.4, all lands designated Mixed Use – Medium Density identified as *pedestrian focus streets* shall have a minimum height of 2 storeys;
 - ii) In non-*pedestrian focus street* areas, new single storey buildings fronting public streets are discouraged; and,
 - iii) The massing of buildings that are greater than three storeys shall be stepped back above the second or third storey along all building façades facing a street.
- e) Landscaping shall form an integral part of all *developments*. Distinctive, high-quality landscape elements shall be provided which shall be used to enhance the aesthetic quality of the site, expand the tree canopy, contribute to stormwater management, and provide transitions between land uses;
- f) Where *redevelopment* includes a *multiple dwelling* or *multiple dwellings* with greater than 20 dwelling units in total, a common outdoor amenity space shall be provided for the *multiple dwelling* on the ground floor;
- g) The ground floor design of buildings shall be human-scaled and contribute to a comfortable and attractive public realm;
- h) Publicly accessible open spaces shall be encouraged in new *development* to animate the public realm;
- i) The location of vehicle parking areas and access points shall not negatively affect the pedestrian and cycling environment or pedestrian access to buildings;

- j) Major *redevelopment* on large sites on the west side of Hamilton Street North shall introduce a secondary street network grid pattern that provides improved *connectivity* throughout the site and connects with *existing* public rights-of-way;
- k) The design of a secondary street network shall give consideration to providing shared vehicular access to the secondary street network from adjacent properties, to reduce the number of vehicular accesses on Dundas Street and Hamilton Street;
- l) Where a large site is intended to *redevelop* in multiple phases or over an extended period of time, a phasing plan shall be submitted to the City at each interim stage to demonstrate coordination of utilities, roads and mid-block connections, buildings, parking, landscaping and open spaces;
- m) Appropriate built form and landscape transitions shall occur where *development* is located *adjacent* to Waterdown Memorial Park to ensure minimal shadow impacts, access to sunlight and sky views, and create a positive interface between *development* and the park;
- n) Where multiple buildings on a site are proposed, complementary building design and materials shall be used to create a cohesive *development*;
- o) Façade design and material use shall be complementary to the character and cultural heritage value of *existing built heritage resources* and *cultural heritage landscapes*. Contemporary additions to *built heritage resources* and within *cultural heritage landscapes* shall maintain the prominence of these cultural heritage resources;
- p) New development shall maintain the prominence of adjacent *cultural heritage resources*, including within *cultural heritage landscapes*;
- q) Where a development application is adjacent to or on the same site as a *cultural heritage resource*, the design of the site and buildings shall demonstrate compatibility with the *cultural heritage resource*;
- r) For any *development* application with a proposed height greater than three storeys, an Urban Design Brief shall be required which demonstrates the following design elements:
 - i) how the proposed buildings and site design relate to the *existing* and planned context of the area, including the relationship of the site and proposed buildings to other *existing* or planned buildings and *cultural heritage resources* in the area;
 - ii) that potential adverse impacts on *adjacent* uses have been

mitigated, ensuring that proposed buildings or *structures* do not unduly overshadow, block light, or result in loss of privacy for *adjacent* buildings; and,

- iii) that buildings are oriented and massed to minimize shadow impacts on the public realm and on private amenity areas both on *adjacent lands* and within the *development*.
- s) On large sites which may redevelop in phases, a master concept plan of the entire site shall be required for any proposal which includes significant changes to existing site design or built form, to demonstrate how the entire site can be developed in accordance with the vision and directions described in this Plan.

4.4.10.3 Residential Design Policies

In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall apply to lands outside of the Community Node:

- a) *Development* outside of the Community Node boundary, as shown on Map B.4.4-1, shall be complementary to and *compatible* with the prevailing design character and heritage characteristics of *existing* properties. This includes design matters such as building scale, height, massing, lot coverage, roofline, material use, garage design, and landscaping;
- b) Residential *development* shall utilize high quality, sustainable façade materials which are compatible with *existing* residential buildings in the neighbourhood;
- c) *Development* shall demonstrate effort to maintain and expand the *existing* mature tree canopy; and,
- d) The retention of *existing* vegetation is encouraged as part of *development*.

4.4.10.4 Gateways

In addition to Section B.3.3.4 - Gateways of Volume 1, the following policies shall also apply to Gateway areas identified on Map B.4.4-2 – Waterdown Community Node - Transportation and Connections:

- a) A gateway has been identified at the intersection of Hamilton Street and Dundas Street. This gateway is a visually prominent intersection requiring special design considerations;
- b) In the gateway area, design within the public right-of way shall be consistent with the recommendations of the Waterdown Transportation

Management Plan. Enhanced pedestrian crossing *infrastructure*, pedestrian amenities, wayfinding signage, and tree plantings are encouraged in the vicinity of this intersection;

- c) New *development* in the vicinity of the area identified as a gateway shall be located close to the street line and shall orient building mass towards the corners of the intersection to provide a strong built form presence; and,
- d) Other design measures such as orienting main building entrances to the corners of the gateway intersection, providing enhanced pedestrian amenities, providing additional landscaping and special landscape features and providing public-private open spaces close to this intersection shall also be considered in new *developments*, to emphasize the importance of the gateway.

4.4.11 Cultural Heritage Policies

The *existing* concentration of *cultural heritage resources* is one of the key strengths in the Waterdown Community Node Secondary Plan area. Heritage buildings and landscapes make the area a unique place and are an important part of its character. The Waterdown Community Node Secondary Plan recognizes the value of *built heritage resources* and *cultural heritage landscapes* and places a priority on their conservation and enhancement.

4.4.11.1 General Cultural Heritage Policies

In addition to Section B.3.4 – Cultural Heritage Resource Policies of Volume 1, the following policies shall also apply to *cultural heritage resources* within the Waterdown Community Node Secondary Plan:

- a) The Mill Street Heritage Conservation District is located within the Waterdown Community Node Secondary Plan and is identified on Appendix A – Waterdown Community Node Secondary Plan – Cultural Heritage Resources. All *development* in the Mill Street Heritage Conservation District shall be consistent with the Mill Street Heritage Conservation District Plan;
- b) To provide recognition and increase awareness of *cultural heritage resources* within the Secondary Plan, interpretive plaques and or other interpretive devices are encouraged within any recognized *cultural heritage landscape* or for *built heritage resources* listed on the Municipal Heritage Register or designated under the *Ontario Heritage Act*;
- c) In addition to Policy B.3.3.12.2 of Volume 1, in *cultural heritage landscapes* and on specific properties containing *cultural heritage*

resources the use of public art to contribute to the interpretation of local history is encouraged;

- d) The City may conduct further study on any lands within the Secondary Plan to investigate the feasibility of designating an area or areas as a Heritage Conservation District under Part V of the *Ontario Heritage Act*. Further study shall be subject to consultation with residents and landowners and the Hamilton Municipal Heritage Committee in accordance with the *Ontario Heritage Act*;
- e) In accordance with Policy B.3.4.5.2 of Volume 1, a priority shall be placed on the retention and conservation of *significant built heritage* resources in their original locations. The relocation or demolition of *significant built heritage resources* is strongly discouraged; and,
- f) Appendix A – Waterdown Community Node Secondary Plan - Cultural Heritage Resources is for information only. Any changes to the status of *cultural heritage resources* which have been approved by the City through another process shall not require an Official Plan Amendment.

4.4.11.2 Cultural Heritage Landscapes

In addition to the policies of Section B.3.4.6 – Cultural Heritage Landscapes of Volume 1, the following policies shall apply:

- a) The Waterdown Community Node Secondary Plan contains the following six *significant cultural heritage landscapes*, as identified on Appendix A –Waterdown Community Node Secondary Plan – Cultural Heritage Resources:
 - i) Dundas Street Cultural Heritage Landscape;
 - ii) Main Street Cultural Heritage Landscape;
 - iii) Sealey Park Cultural Heritage Landscape;
 - iv) Waterdown Heights Subdivision Cultural Heritage Landscape;
 - v) Waterdown Memorial Park Cultural Heritage Landscape; and,
 - vi) Union Cemetery Cultural Heritage Landscape.
- b) The research and evaluations within the Waterdown Community Node Secondary Plan Cultural Heritage Review completed by Archaeological Services Inc., 2021, form the basis for the identification of the *significant cultural heritage landscapes* in the Secondary Plan and the cultural heritage values and *heritage attributes* within these *cultural heritage landscapes* that are considered *significant*. This report shall be used to inform reviews of future *development* proposals and their impacts on *cultural heritage landscapes*;
- c) *Cultural heritage landscapes* identified on Appendix A – Waterdown Community Node Secondary Plan – Cultural Heritage Resources shall

be conserved by retaining *significant* cultural heritage value and *heritage attributes* and ensuring *compatible development*;

- d) The protection of *built heritage resources* within *cultural heritage landscapes* shall be achieved through listing properties on the Municipal Heritage Register and designation of individual properties under the *Ontario Heritage Act*, where appropriate;
- e) The conservation and protection of identified *significant heritage attributes* in *cultural heritage landscapes* shall occur through a variety of approaches, including the application of the policies of this Secondary Plan and the Urban Hamilton Official Plan, Zoning By-law standards, the application of the Waterdown Community Node Urban Design Guidelines, and through Site Plan Control;
- f) In addition to Policy B.3.4.2.12 of Volume 1, a *Cultural Heritage Impact Assessment (CHIA)* may also be required by the City and submitted prior to or at the time of any application submission pursuant to the *Planning Act, R.S.O., 1990 c. P.13* where the proposed *development* or *redevelopment* of lands is located within or adjacent to an identified *cultural heritage landscape*;
- g) Properties listed on the Municipal Heritage Register within *cultural heritage landscapes* support the integrity of the landscape. The demolition of buildings which are listed on the Municipal Heritage Register is strongly discouraged, unless a *Cultural Heritage Impact Assessment* approved by the City has determined that potential impacts can be mitigated;
- h) *Significant views* within *Cultural Heritage Landscapes* are identified on Appendix A - Waterdown Community Node Secondary Plan – Cultural Heritage Resources. A Visual Impact Assessment may be required as part of any *development* application to ensure that these views are protected;
- i) *Development* within a *cultural heritage landscape* shall be consistent with design directions for *cultural heritage landscapes* contained within the Waterdown Community Node Urban Design Guidelines;
- j) The lower height of buildings in the Dundas Street *Cultural Heritage Landscape* is a key contributor to its cultural heritage value. To protect this cultural heritage value, no building in the Dundas Street *Cultural Heritage Landscape* identified on Appendix A - Waterdown Community Node Secondary Plan – Cultural Heritage Resources, shall be taller than three storeys;
- k) The Zoning By-law shall establish standards for residential lots in the Main Street *Cultural Heritage Landscape* which ensure that a modest

residential building scale is maintained;

- l) Development within the Waterdown Heights Subdivision *Cultural Heritage Landscape* shall comply with the following policies:
 - i) Severances that are inconsistent with the *historic* lot sizes and lotting pattern of the *cultural heritage landscape* shall not be permitted;
 - ii) Notwithstanding Policy E.3.4.5 of Volume 1 and Policy B.4.4.5.3 b), *development* shall be limited to a maximum height consistent with the heights of *existing* buildings in the Waterdown Heights Subdivision Cultural Heritage Landscape which are listed on the Municipal Heritage Register; and,
 - iii) Where additions to *existing* dwellings are proposed, these are encouraged at the rear of dwelling units to *conserve* the original scale and massing of *existing* building facades.
- m) *Significant heritage attributes* of the Sealey Park, Waterdown Memorial Park and Union Cemetery *Cultural Heritage Landscapes* may be *conserved* through designation of these sites under Part IV of the *Ontario Heritage Act*, in addition to the policies of this Secondary Plan;
- n) The Grindstone Creek valley shall be researched and evaluated as a *cultural heritage landscape* for its significance as a natural landscape as well as being the site of numerous milling industries and the Canadian Pacific Railway line; and,
- o) The *historic* Village of Waterdown, bounded generally by Parkside Drive, First Street, Mountain Brow Road and Hamilton Street, shall be researched and evaluated as a *cultural heritage landscape* to assist in the conservation of the *historic* Village as a whole. This research and evaluation should identify additional areas outside of the Mill Street Heritage Conservation District that may warrant Part V designation under *Ontario Heritage Act* as a Heritage Conservation District.

Cultural Heritage Landscape Attributes

4.4.11.2.1 The following *heritage attributes* are recognized as *significant* to the Dundas Street *Cultural Heritage Landscape* and are conservation priorities for this landscape:

- a) The operation of Dundas Street as a publicly accessible thoroughfare;
- b) Mature trees, in particular along Grindstone Creek and within several nineteenth and early-twentieth century properties along the right-of-way;

- c) Views along Dundas Street from Flamboro Street looking east towards First Street and from First Street looking west towards Flamboro Street;
- d) Views from the Dundas Street Bridge looking north and south along the Grindstone Creek and Canadian Pacific Railway line;
- e) The scale, form, massing and architectural details of the historical residential and commercial buildings throughout the corridor, which includes:
 - i) Built form set near the right-of-way for commercial building types and shallow, but varied, set-backs for residential types;
 - ii) Buildings constructed primarily of masonry or wood-frame construction; and,
 - iii) Modest building scale and building heights;
- f) The historic aesthetic and scenic quality of the Dundas Street Corridor, including the scale of built form to right of way width, mature trees, and vegetation;
- g) Landmark properties, including the Smith/Carson House, Crooker House, Maple Lawn, Chestnut Grove, Former New Connexion Church, Eager House and Memorial Hall; and,
- h) Key intersections with Mill Street and Main Street, and their landmark buildings, including the Former Kirk Hotel, American Hotel, Weeks/Eager Store, and the Stock Building.

4.4.11.2.2 The following *heritage attributes* are recognized as significant to the Main Street Cultural Heritage Landscape and are conservation priorities for this landscape:

- a) The characteristics of Main Street as a publicly accessed thoroughfare;
- b) Mature trees along the roadway;
- c) The scale, form, massing and architectural details of the historical residential and commercial buildings throughout the corridor which includes:
 - i) Built form set near the right of way for commercial building types and shallow but varied set-backs for residential types;
 - ii) Buildings constructed primarily of masonry or wood-frame construction;

- iii) Building heights of one to two and a half storeys in height; and,
- iv) Modest building scale and simplified building form;
- d) The historic aesthetic and scenic quality of the Main Street *Cultural Heritage Landscape*, including the narrow road width, topography, curving quality of the roadway, scale of built form to road width, mature trees, and vegetation as well as the unique placement and lot size and orientation of the properties at the intersection of Main Street North and John Street; and,
- e) Views of the water tower at 24 Kelly Street looking north along Main Street from around 170 Main Street North and looking south from Buchan Court.

4.4.11.2.3 The following *heritage attributes* are recognized as *significant* to the Sealey Park *Cultural Heritage Landscape* and are conservation priorities for this landscape:

- a) The size and boundary of the park;
- b) The entrance gate feature with stone pillars and metal sign reading "Sealey Park";
- c) The main portion of the current Scout Hall, remnant of the former Waterdown Grammar and Common School which was constructed in the Classical Revival style including:
 - i) The stone construction and stone corner quoins;
 - ii) The fenestration, window openings, wooden frames and double-hung six-over-six sash, stone sills, and jack arches;
 - iii) The semi-circular engraved plaque remaining from the original school's 1878 addition and relocated to the top of the west elevation; and,
 - iv) The location of the entrance to the addition from School Street which is in the same position as would have been in the school as it was built in the mid-nineteenth century.
- d) The concrete pathways which are in the same location as historical images of the school;
- e) The German artillery piece, as the sole remaining element associated with the military history of the property;

- f) Mature trees throughout the park and on the east side of the park on the downward slope towards Mill Street South; and,
- g) The vista over the Grindstone Creek valley and the Niagara Escarpment from the east side of the park which is visible from the top of the rise and opens as one travels down the trail through the treed slope.

4.4.11.2.4 The following *heritage attributes* are recognized as *significant* to the Waterdown Heights Subdivision *Cultural Heritage Landscape* and are conservation priorities for this landscape:

- a) Housing designs consistent with plans issued by the Canadian Mortgage and Housing Corporation in the 1940's, 1950's and 1960's;
- b) One to one and a half storey heights and modest scales;
- c) Simplified massing consistent with post-Second World War designs such as modest bungalows, cottages and ranch styles incorporating concrete foundations, and brick veneer or horizontal siding;
- d) Lot sizes and pattern with lots back to back and generally 75 feet wide by 180 feet deep; and,
- e) The name of Churchill Avenue as it connects the subdivision to the Second World War.

4.4.11.2.5 The following *heritage attributes* are recognized as *significant* to the Waterdown Memorial Park *Cultural Heritage Landscape* and are conservation priorities for this landscape:

- a) The size and boundary of the park;
- b) The stone entrance feature on Main Street North with wrought-iron gates, stone pillars, and engraved stone plaques;
- c) Views from the east entrance gate on Main Street North into the interior of Waterdown Memorial Park;
- d) Mature trees lining the east and south property lines of the park; and,
- e) Commemorative features such as the name of the park, the red maple tree, and the "Queen's Bench".

4.4.11.2.6 The following *heritage attributes* are recognized as *significant* to the Union Cemetery *Cultural Heritage Landscape* and are conservation priorities for this landscape:

- a) The siting of the cemetery on the east bank and overlooking Grindstone

Creek;

- b) The three entrances to the cemetery at William Street and Margaret Street;
- c) The iron fence including three entrance gates and one turnstile;
- d) The L-shaped laneway through the property connecting William Street and Margaret Street which delineates the gradual expansion of the cemetery property through its alignment with historical property boundaries;
- e) The line of trees on the west side of the north-south laneway and along Margaret Street;
- f) The mix of coniferous and deciduous trees and shrubs throughout the cemetery;
- g) The general arrangement of the cemetery with burials facing east and west and arranged with the oldest sections to the west and newest to the east;
- h) The terraced land stepping down towards Grindstone Creek; and,
- i) The mausoleum, gravestones, monuments, and burial sites.

4.4.12 Natural Heritage Policies

Grindstone Creek is the predominant natural heritage feature in the Waterdown Community Node Secondary Plan. Grindstone Creek and part of the Grindstone Creek *Environmentally Significant Area* (ESA) abut the easterly boundary of the Secondary Plan and traverse the Plan east of Mill Street. Natural Heritage System features, flooding and erosion hazards regulated by the Conservation Authority, and some areas subject to Provincial plans are shown for information on Appendix B – Waterdown Community Node Secondary Plan – Natural Heritage System;

- 4.4.12.1 All *development* proposed on a property containing a portion of the Conservation Authority's regulated area shall require approval from the Conservation Authority;
- 4.4.12.2 In accordance with Policy B.3.6.5 of Volume 1, new *development* shall be directed to areas outside of lands impacted by flooding and *erosion hazards*, hazardous sites and associated setbacks. *Development* applications may be required to submit detailed studies or surveys to assess and evaluate hazard limits;
- 4.4.12.3 The boundaries of *Core Areas* and *Linkages* as identified on Schedule B –

Natural Heritage System of Volume 1 are shown on Appendix B – Waterdown Community Node Secondary Plan - Natural Heritage and Hazards. In addition to Policy C.2.2.2 of Volume 1, minor refinements to such boundaries may occur through Environmental Impact Statements, *watershed* studies or other appropriate studies accepted by the City without an amendment to the Secondary Plan;

- 4.4.12.4 *Development* applications near *Core Areas* or *Linkages* identified on Appendix B – Waterdown Community Node Secondary Plan – Natural Heritage System, may require further evaluation of the Natural Heritage System to ensure protection of these features; and,
- 4.4.12.5 Environmental Impact Statements and other evaluations of the Natural Heritage system completed in support of *development* applications should consider climate change impacts affecting the Natural Heritage System and identify opportunities to enhance climate change resilience.

4.4.13 Transportation and Connections

The directions for the *transportation system* within the Secondary Plan area are based on providing a balanced accommodation of all users and modes of transportation. The 2022 Waterdown Community Transportation Management Plan (WCTMP), as may be amended, provides direction for the transportation network in the Waterdown Community Node Secondary Plan. The policies of this Plan are intended to support the recommendations of the WCTMP and other City-wide transportation master plans.

4.4.13.1 General Transportation Policies

In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following transportation policies shall also apply:

- a) Improvements and changes to the *transportation system* in the Waterdown Community Node Secondary Plan area shall proceed on the basis of the recommendations of the WCTMP and in accordance with the recommendations of other relevant City approved plans, including but not limited to the Hamilton Transportation Master Plan; Hamilton's Cycling Master Plan; the Truck Route Master Plan; the Pedestrian Mobility Master Plan; and the Recreational Trails Master Plan; and,
- b) *Development* proposals shall consider the City's *Transportation Demand Management Land Development Guidelines*. A proposal for *development* may be required to submit a *Transportation Demand Management Options Report*, at the discretion of the City, to review measures that can be taken to encourage sustainable travel choices.

4.4.13.2 Active Transportation Network

Active transportation is an important mode of transportation with many public health and environmental benefits. Increasing opportunities for *active transportation* and *transit* use is an important way to reduce emissions and mitigate impacts of a changing climate. The Secondary Plan supports *active transportation* by planning for a compact, mixed use area within the Community Node, and by supporting improvements to the quality and safety of the *active transportation* network. The following policies shall apply:

- a) Elements of the *existing* and proposed *active transportation* network, including new pedestrian connections and *existing* and planned bike facilities are shown on Map B.4.4-2 – Waterdown Community Node Secondary Plan – Transportation and Connections. Changes to proposed connections or cycling facilities may be made without amendment to this Plan where the City has completed another study, detailed evaluation or plan update after the date of approval of this Plan;
- b) Where warranted, and in accordance with the WCTMP, pedestrian crossings shall be enhanced in order to facilitate the movement of pedestrians throughout the Secondary Plan area;
- c) Additional pedestrian street crossings shall be planned in three locations in the Waterdown Community Node, if operationally feasible:
 - i) A new crossing of Hamilton Street North between Dundas Street and White Oak Drive;
 - ii) A new crossing of Dundas Street between Perelli Street and Hamilton Street; and,
 - iii) A new crossing of Dundas Street between Hamilton Street and Main Street.
- d) Exact locations and timing for the installation of future pedestrian crossings identified in Policy B.4.4.13.2 c) shall be determined based on an evaluation of the City's crossing criteria and the design and timing of new *development* in these areas;
- e) A multi-use path for pedestrians and cyclists is planned along Hamilton Street from Parkside Drive to Barton Street, as identified on Map B.4.4-2 – Waterdown Community Node Secondary Plan –Transportation and Connections. The multi-use path shall be provided within the right-of-way on the west side of the street;
- f) The design of any public realm changes or development along the west side of Hamilton Street shall have consideration for the space and

design needs of the multi-use path;

- g) Any reconstruction or replacement of sidewalks in the public right-of-way on Hamilton Street North or Dundas Street shall consider the incorporation of *Urban Braille* in order to enhance the accessible sidewalk network;
- h) In all areas of the Community Node, *new development* and any replacement or reconstruction of sidewalks shall provide sidewalks with a minimum width of 2 metres in the public right-of-way;
- i) Notwithstanding Policy B.4.4.13.2 h), on lands identified as pedestrian focus streets on Map B.4.4-1 – Waterdown Community Node Secondary Plan - Land Use Plan, *development* shall provide a minimum sidewalk width of 3 metres. Sidewalk areas may include tree plantings and other public realm amenities but should strive to provide a clear through width of 2.1 metres unencumbered by obstructions;
- j) Notwithstanding Policies B.4.4.13.2 h) and i), a lesser sidewalk width may be provided where one of the following conditions apply:
 - i) A lesser sidewalk width may be provided where *existing* right of ways or other *existing* conditions physically prevent the provision of the minimum sidewalk width, or where increasing sidewalk widths will have negative impacts on a *cultural heritage resource (built heritage resource or cultural heritage landscape)*; and,
 - ii) A lesser sidewalk width may be provided on the west side of Hamilton Street North where a multi-use path is planned to be provided in lieu of a wider sidewalk.
- k) Existing *active transportation* connections identified on Map B.4.4-2 Waterdown Community Node Secondary Plan – Transportation and Connections shall be maintained. *New development* shall be designed to provide safe and convenient access from these *existing* connections to buildings within the site and to public sidewalks;
- l) Three proposed *active transportation* connections are identified on Map B.4.4-2 – Waterdown Community Node Secondary Plan - Transportation and Connections; a connection over Grindstone Creek north of Dundas Street, a connection between Griffin Street and a pedestrian bridge on the south side of the Dundas Street road bridge, and a connection from Sealy Park to the Smokey Hollow waterfall. The City shall plan for these connections through the Recreational Trails Master Plan to support walking and cycling to destinations within and outside of the Secondary Plan;
- m) Where lands needed for connections in Policy B.4.4.13.2 l) are privately

owned, connections may be achieved through land acquisitions, dedications, easements, or any other measures deemed appropriate. Public ownership is required for paths within the Conservation Authority's regulated area;

- n) If a proposed connection is determined to be unfeasible due to land constraints, hazards, cumulative impacts or other factors, alternative locations may be considered to achieve a similar purpose without amendment to this Plan;
- o) When *development* occurs in the Community Node on properties fronting on Major or Minor Arterial Roads, on-site pedestrian and cycling amenities such as but not limited to seating and bicycle parking shall be required in order to encourage *active transportation*; and,
- p) Additional pedestrian trails and bicycle lanes may be provided on public street rights-of-way and public open space lands without amendment to this Plan.

4.4.13.3 Public Transit Network

Public *transit* is an important mode of transportation, offering a vehicular alternative to individual vehicle trips. Public *transit* can make transportation more accessible and *affordable* and can also contribute to the City's goals of reducing emissions. In accordance with the WCTMP, it is the long-term plan of the City to increase *transit* options and the level of service in the Waterdown area, including within the Community Node. The following *transit* policies shall apply:

- a) A local *transit* hub is planned within the Community Node area to support enhanced *transit* service. The location of the transit hub within the Community Node shall be determined by the Hamilton Street Railway (HSR). The preliminary preferred location is within the Dundas Street right-of-way west of Hamilton Street, based on land needs for the *transit* hub and available right-of-way widths;
- b) The *transit* hub may include a variety of amenities which support the function of the transit hub, such as but not limited to passenger platforms, *transit* shelters, litter containers, benches, fare vending machines, bus stop signage, street trees, lighting, bicycle racks and bike share docking stations;
- c) All *development* applications fronting on Dundas Street west of Hamilton Street shall be required to consult with the HSR to ensure that the design of *development adjacent* to Dundas Street does not conflict with the design needs for the future *transit* hub. In particular, changes to site access locations or requests for new accesses may not be permitted;

- d) *Development* along public *transit* routes shall incorporate barrier-free access to public *transit* and public *transit infrastructure*, where appropriate;
- e) There is potential for a future interregional *transit* route to be located on Dundas Street. Interregional *transit* service and connections to the potential future *transit* hub are encouraged within the Community Node; and,
- f) In addition to the provision of traditional public *transit* service, other innovative forms of public *transit* such as on-demand *transit* are also encouraged to support *transit* use in the Secondary Plan area.

4.4.13.4 Parking

Waterdown has a high level of vehicle usage. Although an objective of this Plan is to encourage greater use of *transit* and *active transportation* travel modes, there is and will continue to be a need to provide sufficient vehicular parking to meet future demand. The shift to other travel modes is expected to be a gradual process taking place over the long term.

In particular, the area east of Hamilton Street, along Dundas Street and along the streets that intersect with Dundas Street within the Community Node, has historically developed with lower amounts of private parking. This contributes to an attractive and pedestrian focused commercial environment. However, it can create some challenges meeting demands for vehicle parking. These challenges may become more prevalent in the short and medium term as additional *intensification* occurs, as shifts in travels modes are expected to take place gradually over the long term.

4.4.13.4.1 Within the area identified as the Community Node on Map B.4.4-1 – Land Use Plan, the following parking policies shall apply:

- a) On-street parking provides an important function within the Community Node area. *Existing* on-street parking spaces shall be maintained where feasible;
- b) Improvements to *existing* on-street parking spaces or the addition of on-street parking spaces are encouraged provided they do not impact the provision of transit infrastructure;
- c) Where feasible, vehicular site accesses shall be located to maximize on-street parking opportunities;
- d) Reductions in parking requirements may be considered to facilitate the *adaptive reuse* of *built heritage resources* where the provision of parking would negatively impact a *cultural heritage resource*;

- e) Where all or a portion of on-site parking requirements in the Zoning By-law cannot be met, then the first consideration shall be payment of cash in lieu of parking in accordance with Policy F.1.20 of Volume 1;
- f) The City shall investigate the feasibility of establishing a municipally operated off-street public parking lot in the Community Node to create a centralized parking resource that is separate from privately-owned parking;
- g) Public-private partnerships between the City and new *development* to create municipally operated off-street parking are encouraged. The City shall monitor new *development* proposals to identify appropriate opportunities for public-private partnerships; and,
- h) Public short-term bicycle parking and electric vehicle (EV) charging facilities shall be provided as part of any off-street public parking facility.

4.4.13.5 Special Character Roads

- a) The following road segments in the Secondary Plan shall be identified as heritage roads:
 - i) Dundas Street East within the boundary of the Dundas Street *Cultural Heritage Landscape* identified on Appendix A – Waterdown Community Node Secondary Plan – Cultural Heritage Resources; and,
 - ii) Main Street North and South within the boundary of the Main Street *Cultural Heritage Landscape* identified on Appendix A – Waterdown Community Node Secondary Plan – Cultural Heritage Resources.
- b) For the heritage roads identified in Policy B.4.4.13.5 a) of this Plan, Policies C.4.5.3 to C.4.5.3.4 of Volume 1 shall apply; and,
- c) In addition to Policies C.4.5.3 to C.4.5.3.4 of Volume 1, all public and private initiatives within this corridor shall endeavour to protect the recognized *heritage attributes* of the Dundas Street and Main Street *cultural heritage landscapes* as identified in Policies B.4.4.11.2.1 and B.4.4.11.2.2.

4.4.14 Infrastructure, Energy and Sustainability Policies

- 4.4.14.1 Municipal services, such as sewers, water, stormwater systems and public/private utilities shall be provided, maintained and upgraded, as may be required, to accommodate the needs of *existing* and future

development in the Waterdown Community Node Secondary Plan area. In addition to Section C.5.0 – Infrastructure of Volume 1, the following policies shall also apply:

- a) The City shall monitor the capacity and reassess the need to manage stormwater runoff, as may be required;
- b) The approval of *development* applications shall be contingent on the availability of water and wastewater capacity;
- c) To increase energy efficiency and reduce the environmental impact of buildings, all commercial, institutional, mixed use and *multiple dwelling* buildings will be encouraged to:
 - i) Build to higher energy efficient standards than outlined in the Ontario Building Code;
 - ii) Have green roofs or cool roofing materials;
 - iii) Provide solar capture equipment;
 - iv) Provide for a portion of the building's total energy requirements through alternative energy sources, including photovoltaic, geothermal, or other alternatives;
 - iv) Utilize grey water recycling;
 - v) Utilize low demand or low flow fixtures; and,
 - vi) Plant trees and other vegetation to provide shade, increase tree canopy cover and provide other environmental benefits.
- d) Low Impact *Development* (LID) is a design technique which contributes to aquatic habitat protection, can help regulate water runoff, improve water quality and reduce the flooding risks associated with extreme weather events. *Development*, including the *redevelopment* or creation of parking lots, shall utilize Low Impact *Development* (LID) measures in site design where feasible to reduce water runoff and improve water quality;
- e) Where appropriate, soil cells or similar Low Impact *Development* technologies should be used for street tree planting to improve storm water management function in conjunction with plantings;
- f) Electric vehicle (EV) charging stations are encouraged to be provided on lands designated Mixed Use - Medium Density, Local Commercial, Medium Density Residential 2 and High Density Residential 1;

- g) The use of self-sustaining, drought-tolerant native groundcover is encouraged in lieu of sod in areas where mowed turf areas/strips are contemplated. Minimizing mowed turf improves sustainability and resiliency to climate change, improves infiltration and SWM function and improves ecological support for pollinators;
- h) Native plant species are encouraged in all landscaped areas to reduce the risk of invasive, non-native species being introduced and provide support for pollinators and birds;
- i) Proposed *development* shall consider how energy efficiency measures, LID measures, innovative servicing technologies or other sustainable measures can be incorporated into site and building design;
- j) In addition to Policies F.1.19.5 and F.1.19.6 of Volume 1, a report may be requested as part of a *development* application to demonstrate what energy efficiency measures, LID measures, innovative servicing technologies or other sustainable measures have been employed and how they have been incorporated into the proposal;
- k) In addition to Policies F.1.19.5 and F.1.19.6 of Volume 1, a Soil Management Plan may be required as part of a complete application under the *Planning Act, R.S.O., 1990 c. P.13*, to maintain or improve soil storm water infiltration capacity and *conserve ecological functions* in soil following *development*; and,
- l) Conditions may be applied to site plan applications requiring inspections and testing to verify that post-construction soil quality and depth standards recommended by a soil management plan have been met.

4.4.15 Implementation

- a) The City shall ensure that the cost of any growth-related improvements needed for water, sanitary and stormwater *infrastructure* are incorporated into the capital budget planning process;
- b) In addition to the definition of *development* in Chapter G of Volume 1, for the purposes of this Plan, the term *development* shall also include *redevelopment*;
- c) *Development* may include *infrastructure* for drainage control located on private lands. Where deemed necessary, the City may require the registration of Site Plan agreements on title of a property, to give the City legal authority to ensure that these controls continue to function appropriately in the future;
- d) Where feasible, urban services, utilities and overhead wires should be

buried underground as part of future planned road reconstruction, streetscape installation projects or *development*;

- e) The zoning by-law may be amended to recognize a legal non-complying residential use as an existing use in accordance with Policy F.1.12.8 of Volume 1;
- f) Costs for the installation of additional pedestrian crossings identified in Policy B.4.4.13.2 c) shall be incorporated into the City's Development Charges By-law;
- g) The following strategies, among others, may be considered as part of the investigation of feasibility for a municipally operated off-street public parking lot referenced in Policy B.4.4.13.4.1 f):
 - i) A public-private partnership with a landowner to use an *existing* surface parking area or vacant land for the purposes of a public parking lot; or,
 - ii) A public-private partnership to create a publicly accessible parking facility within a new *development*.
- h) In addition to the definition of *heritage attributes* in Chapter G of Volume 1, for the purposes of this Plan, the term *heritage attributes* shall also include the principal features or elements that contribute to a *cultural heritage landscape's* cultural heritage value or interest; and,
- i) In accordance with Policy C.2.5.1 of Volume 1, the Zoning By-law shall restrict the permitted uses in *Core Areas* identified on Appendix B – Waterdown Community Node Secondary Plan - Natural Heritage and Hazards, and further identified on Schedule B – Natural Heritage System of Volume 1.

4.4.16 Area and Site Specific Policies

Area and Site Specific Policy Areas have been identified on Map B.4.4-1 – Waterdown Community Node – Land Use Plan.

4.4.16.1 Area Specific Policy – Area A

For the lands located at 273, 275, 277, 279, 281 and 285 Parkside Drive, 15, 21, and 29 John Street West, and 29, 35 and 41 Hamilton Street South, designated Medium Density Residential 2 and shown as Area Specific Policy - Area A on Map B.4.4-1 – Waterdown Community Node – Land Use Plan, the following policies shall apply:

- a) Lot consolidation shall take place prior to development for medium density residential uses, to establish a sufficient lot area; and,

- b) In addition to the uses permitted in Section E.3.5 – Medium Density Residential of Volume 1 and Policy B.4.4.5.6, *existing* uses shall be permitted and shall be recognized in the Zoning By-law.

4.4.16.2 **Area Specific Policy – Area B**

Notwithstanding Policy E.3.4.5 of Volume 1, for the lands bounded by Parkside Drive, Victoria Street, Elgin Street, and the eastern boundary of the Secondary Plan, designated Low Density Residential 1 and shown as Area Specific Policy - Area B on Map B.4.4-1 – Waterdown Community Node – Land Use Plan, *development* shall be limited to a maximum height *compatible* with the heights of *built heritage resources* in the Waterdown Heights Subdivision *Cultural Heritage Landscape* which are listed on the Municipal Heritage Register.

4.4.16.3 **Area Specific Policy – Area C**

For the lands located at 3 and 4 Howard Boulevard, designated Mixed Use – Medium Density and shown as Area Specific Policy – Area C on Map B.4.4-1 – Waterdown Community Node Secondary Plan – Land Use Plan, lot consolidation with a lot fronting onto Dundas Street shall take place prior to *development* for Mixed Use – Medium Density land uses.

4.4.16.4 **Area Specific Policy – Area D**

For the lands located at Dundas Street East, Barton Street, Flamboro Street, Griffin Street, Franklin Street, Main Street and Mill Street, designated Mixed Use - Medium Density and Mixed Use – Medium Density – Pedestrian Focus, and shown as Area Specific Policy - Area D on Map B.4.4-1 – Waterdown Community Node – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policies E.4.6.7 and E.4.6.8 of Volume 1, to maintain the *historic* character of the area and protect the cultural heritage values of the Dundas Street and Main Street *Cultural Heritage Landscapes*, no building in Area Specific Policy – Area D shall have a height greater than three storeys;
- b) The Zoning By-law shall establish appropriate standards to ensure that *development* is *compatible* with the character of the area, including with *cultural heritage resources* within Area Specific Policy – Area D;
- c) New *development* shall consider the area's unique walkability and explore opportunities for mid-block connections and the establishment of new publicly accessible open spaces, courtyards or plazas in the interior of blocks;
- d) Building siting and design shall establish or reinforce a continuous street

wall condition along the street edge of Dundas Street; and,

- e) Notwithstanding Policy E.4.3.4 a) of Volume 1, minimum block face requirements shall not apply where a commercial parking facility is proposed on a lot which does not have frontage on Dundas Street.

4.4.16.5 Site Specific Policy – Area E

In addition to the uses permitted in Policy E.3.4.3 of Volume 1, for the lands located at 140 and 146 Mill Street North, designated Low Density Residential 2 and shown as Site Specific Policy - Area E on Map B.4.4-1 – Waterdown Community Node – Land Use Plan, a funeral home may also be permitted.

4.4.16.6 Site Specific Policy – Area F

In addition to the uses permitted in Policy E.4.6.5 – Mixed Use – Medium Density Designation of Volume 1, on the lands designated Mixed Use – Medium Density – Pedestrian Focus, located at 61 Hamilton Street North, and shown as Site Specific Policy - Area F on Map B.4.4-1 – Waterdown Community Node – Land Use Plan the *existing* building and lumber supply establishment may also be permitted.

4.4.16.7 Site Specific Policy – Area G

For the lands located at 5 Hamilton Street North, designated Mixed Use – Medium Density – Pedestrian Focus and shown as Site Specific Policy - Area G on Map B.4.4-1 – Waterdown Community Node – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.4.3.4 d) of Volume 1, residential uses may be permitted on the ground floor of a *multiple dwelling*, provided that no residential uses front onto Hamilton Street;
- b) Notwithstanding Policy E.4.3.4 c) of Volume 1, the principal commercial entrance within the ground floor façade may be located on the north side of the building instead of directly *adjacent* to the street; and,
- c) Notwithstanding Policy B.4.4.10.2 d) iii), the massing of the building shall not be required to be stepped back adjacent to the street above the second or third storey.

4.4.16.8 Site Specific Policy – Area H

For the lands located at 1 Hamilton Street South, designated High Density Residential 1 and shown as Site Specific Policy - Area H on Map B.4.4-1 – Waterdown Community Node – Land Use Plan, the following policies shall apply:

- a) In addition to Section E.3.6 of Volume 1 and Policy B.4.4.5.7, any new buildings proposed on the site shall meet the following requirements:
- i) New buildings shall be built up to the street line on Dundas Street, and parking, driveways or lanes shall not be permitted between buildings and the Dundas Street frontage;
 - ii) Active commercial uses shall be provided at grade fronting Dundas Street;
 - iii) Each building and commercial use shall face onto Dundas Street with the main entrance of each building and commercial use and substantial fenestration facing on to the street; and,
 - iv) The main façade of a new building shall be a minimum of two storeys facing Dundas Street.

4.4.16.9 **Site Specific Policy – Area I**

In addition to the uses permitted in Policy E.4.6.5 – Mixed Use – Medium Density – Pedestrian Focus Designation of Volume 1, for the lands designated Mixed Use – Medium Density, located at 19 Flamborough Street, the *existing* motor vehicle related use and a motor vehicle washing establishment may also be permitted.

Appendix B
APPROVED Amendment No. 165
to the Urban Hamilton Official Plan

 The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal.

 - 71 Main Street West and 10 Baldwin Street, Appellant # 8
- 3011 Homestead Drive (Glanbrook), Appellant # 4
- 221-225 John Street South and 70-78 Young Street (Hamilton), Appellant # 20
- 237 Upper Centennial Parkway (Stoney Creek), Appellant # 14

 - 215, 217, 219, 221, 225 and 231 Main Street West, 67 & 69 Queen Street South and 62 & 64 Hess Street South

Date: March 29, 2022
Revised By: MP/NB
Reference File No.: CI-21-F

APPEALS

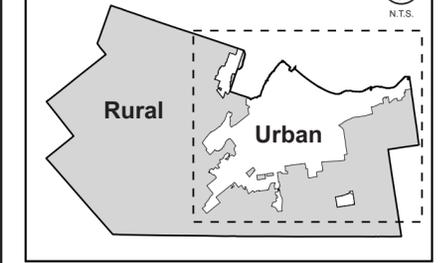
UHOPA NO. 69 APPEALS - PL171450

- 71 Main Street West and 10 Baldwin Street, Appellant # 8
- 3011 Homestead Drive (Glanbrook), Appellant # 4
- 221-225 John Street South and 70-78 Young Street (Hamilton), Appellant # 20
- 237 Upper Centennial Parkway (Stoney Creek), Appellant # 14

UHOPA NO. 102 APPEALS - PL180548

- 215, 217, 219, 221, 225 and 231 Main Street West, 67 & 69 Queen Street South and 62 & 64 Hess Street South

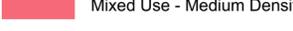
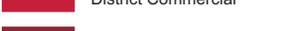
Key Map



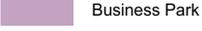
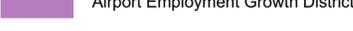
Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

-  Neighbourhoods
-  Open Space
-  Institutional
-  Utility

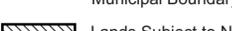
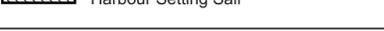
Commercial and Mixed Use Designations

-  Downtown Mixed Use Area
-  Mixed Use - High Density
-  Mixed Use - Medium Density
-  District Commercial
-  Arterial Commercial

Employment Area Designations

-  Industrial Land
-  Business Park
-  Airport Employment Growth District
-  Shipping & Navigation

Other Features

-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary
-  Lands Subject to Non Decision 113 West Harbour Setting Sail

Council Adoption: July 9, 2009
Ministerial Approval: March 16, 2011
Effective Date: August 16, 2013

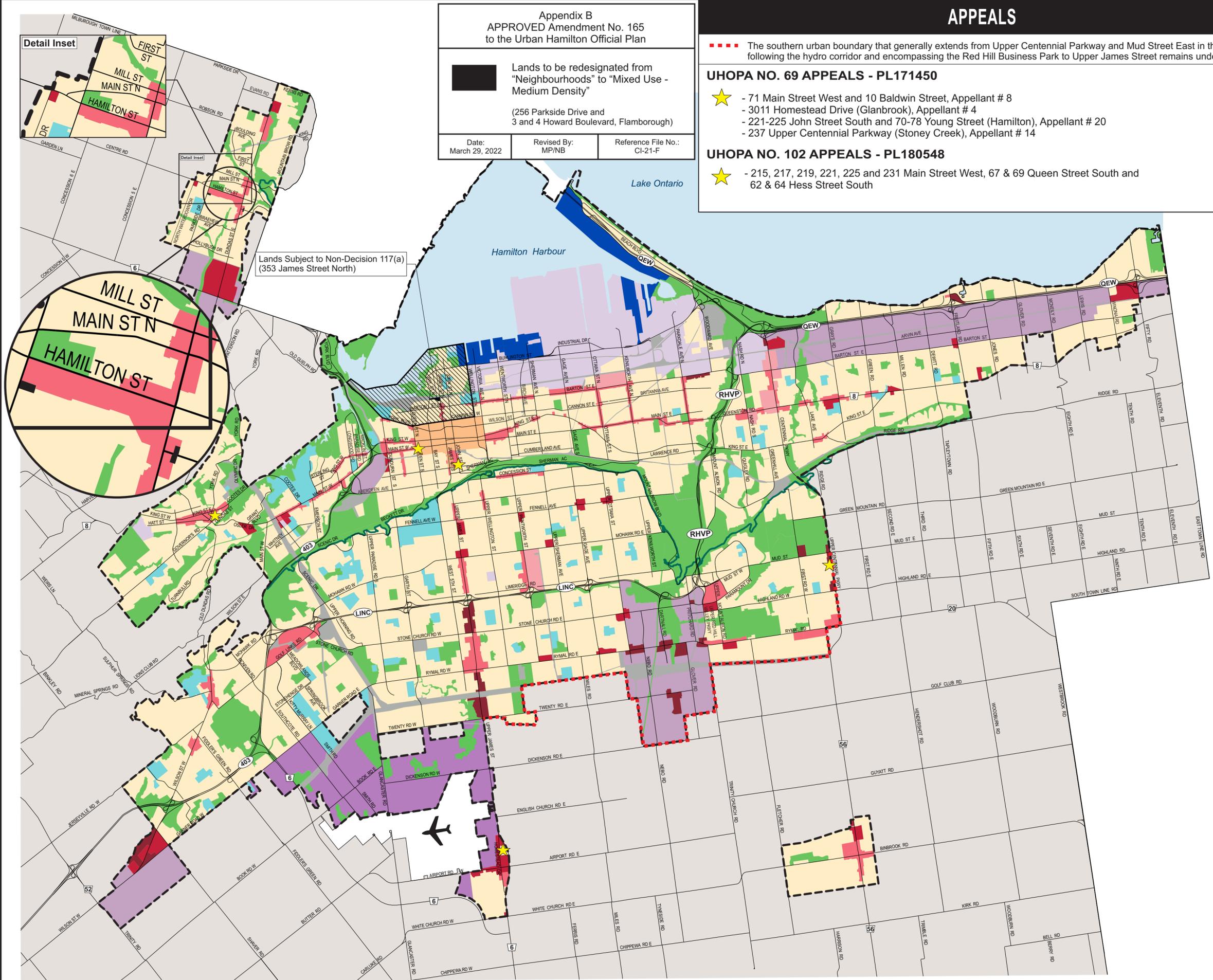
Urban Hamilton Official Plan Schedule E-1 Urban Land Use Designations



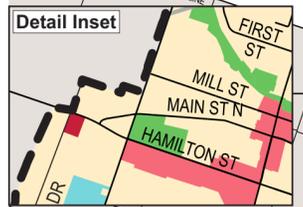
Date: February 2022

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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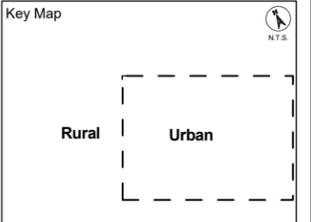
Lands Subject to Non-Decision 117(a)
(353 James Street North)



Appendix C
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

 Add Waterdown Community Node Secondary Plan as a "Secondary Plan" and remove lands from West Waterdown Secondary Plan and North Waterdown Secondary Plan located within the Waterdown Community Node Secondary Plan area

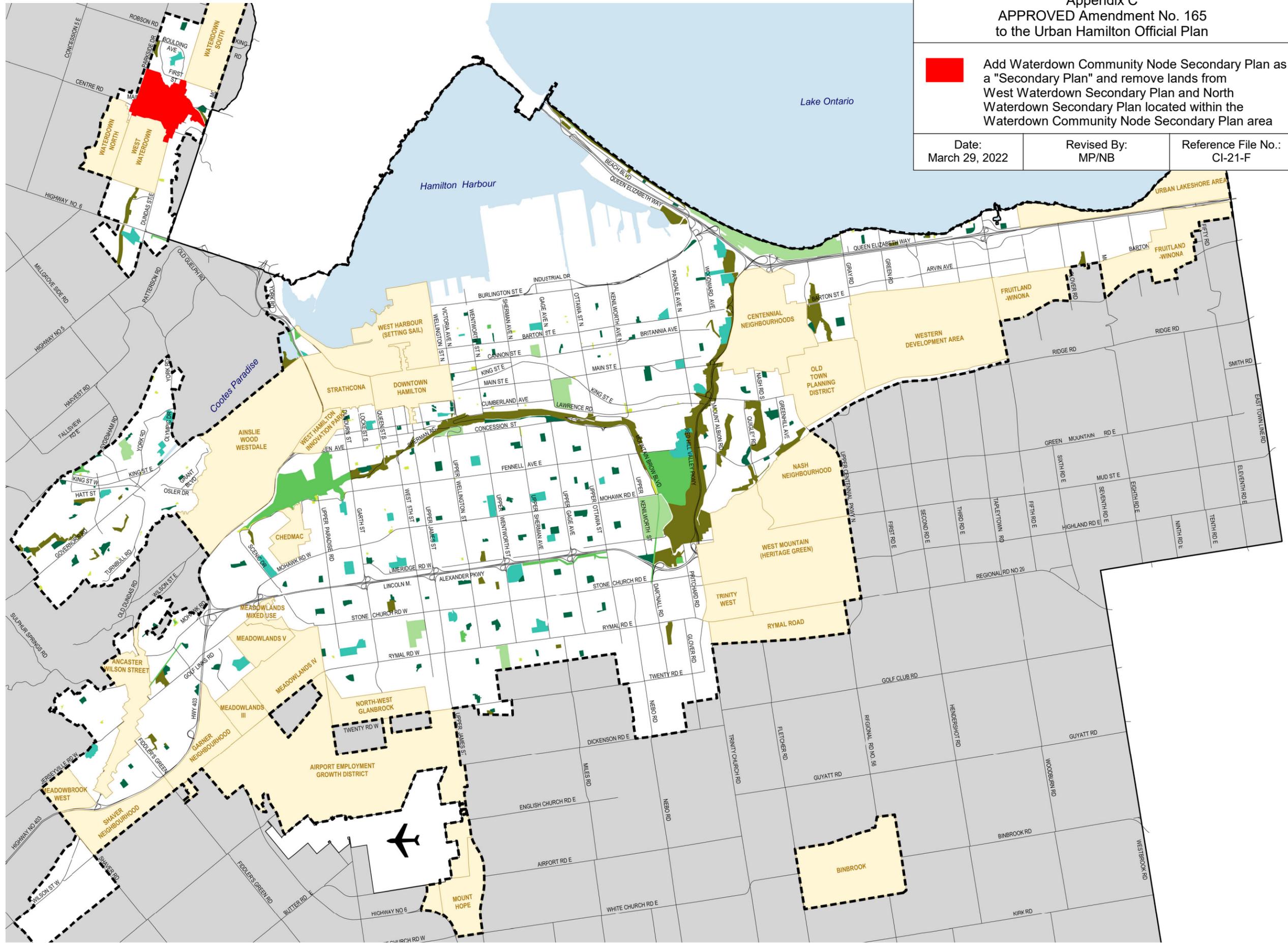
Date: March 29, 2022	Revised By: MP/NB	Reference File No.: CI-21-F
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Note: For Rural Parks Classification Designations, refer to Appendix A of the Rural Hamilton Official Plan.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.



Legend

-  Secondary Plans
- Parks Classification**
-  Parkette
-  Neighbourhood
-  Community
-  City Wide
-  General Open Space
-  Natural Open Space
- Other Features**
-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan
 Appendix A
 Parks Classification Map**
 (Parks Outside of Secondary Plans)



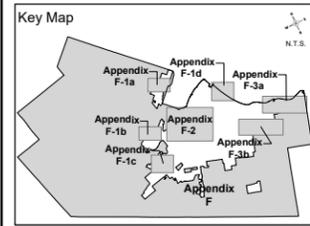
Appendix D
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

"Cultural Heritage Resources" to be removed and reference to "See Volume 2: Appendix A - Waterdown Community Node Secondary Plan" to be added

Date:
 March 29, 202

Revised By:
 MP/NB

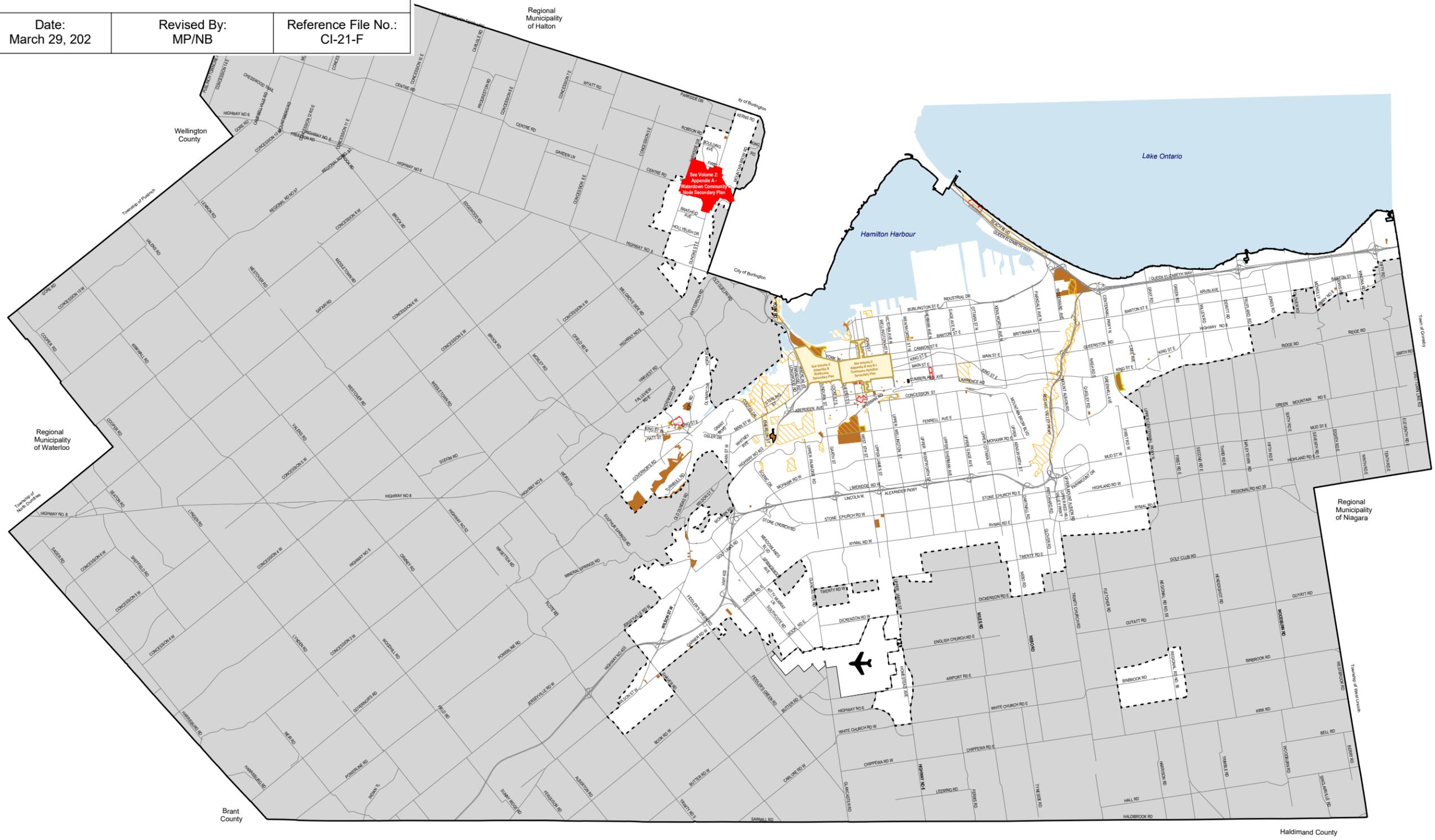
Reference File No.:
 CI-21-F



Note: For a detailed view of Cultural Heritage Resources, refer to Appendices F-1, F-2 & F-3.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.



Legend

- Cultural Heritage Landscapes
- Individually Designated Properties
- Heritage Conservation Districts
- Municipal Easements (Part IV)
- Ontario Heritage Trust Easements (Part V)

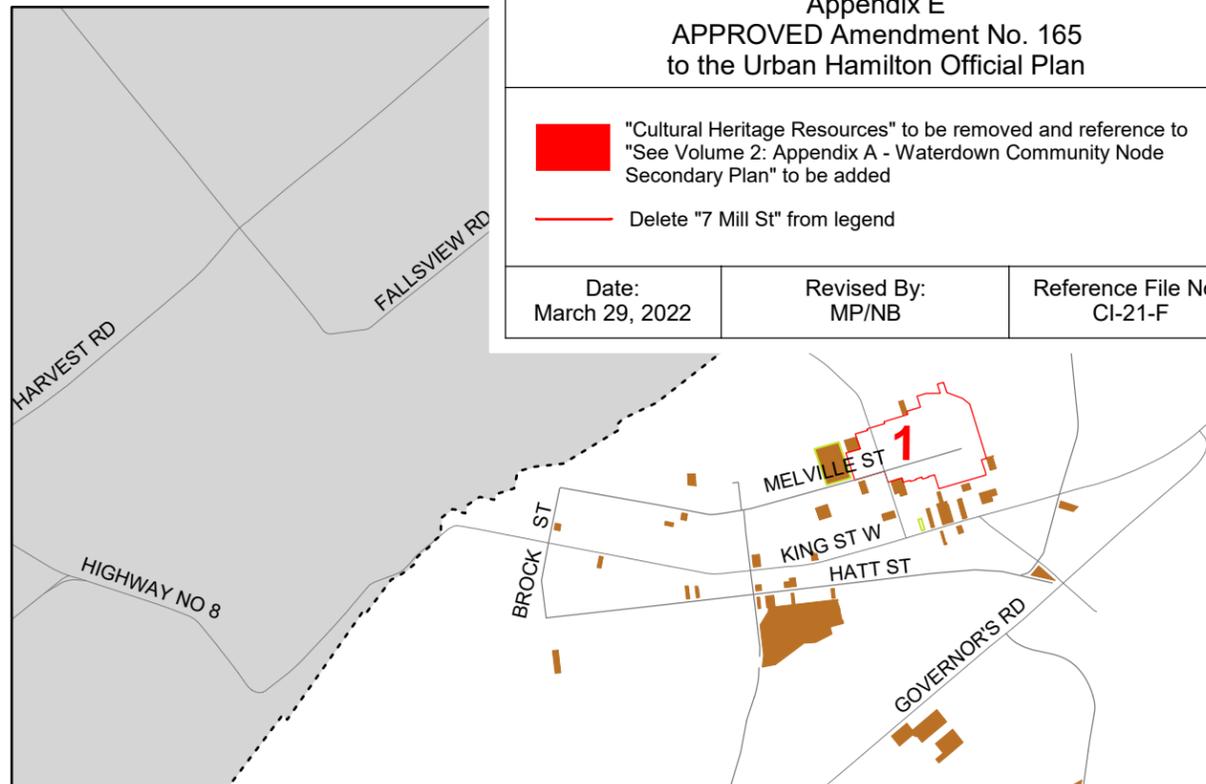
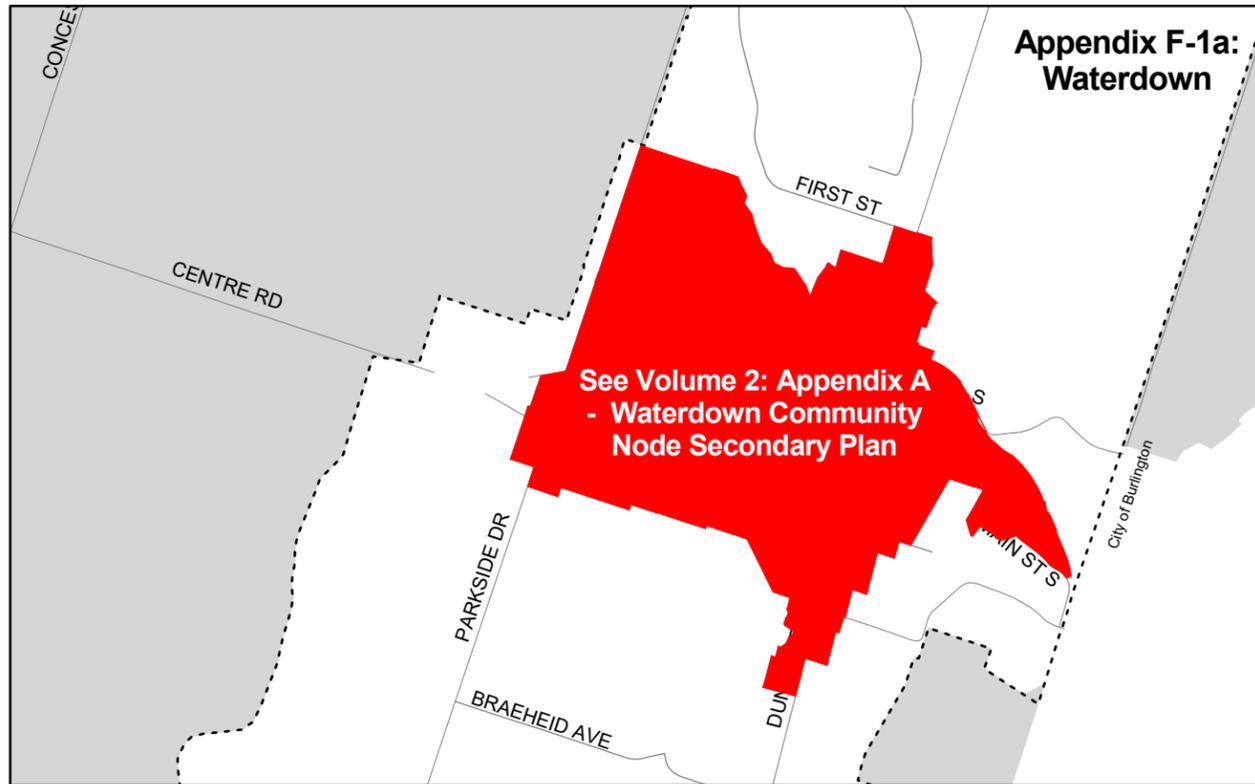
Other Features

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

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan
 Appendix F
 Cultural Heritage Resources**





Appendix E
APPROVED Amendment No. 165
to the Urban Hamilton Official Plan

"Cultural Heritage Resources" to be removed and reference to "See Volume 2: Appendix A - Waterdown Community Node Secondary Plan" to be added

Delete "7 Mill St" from legend

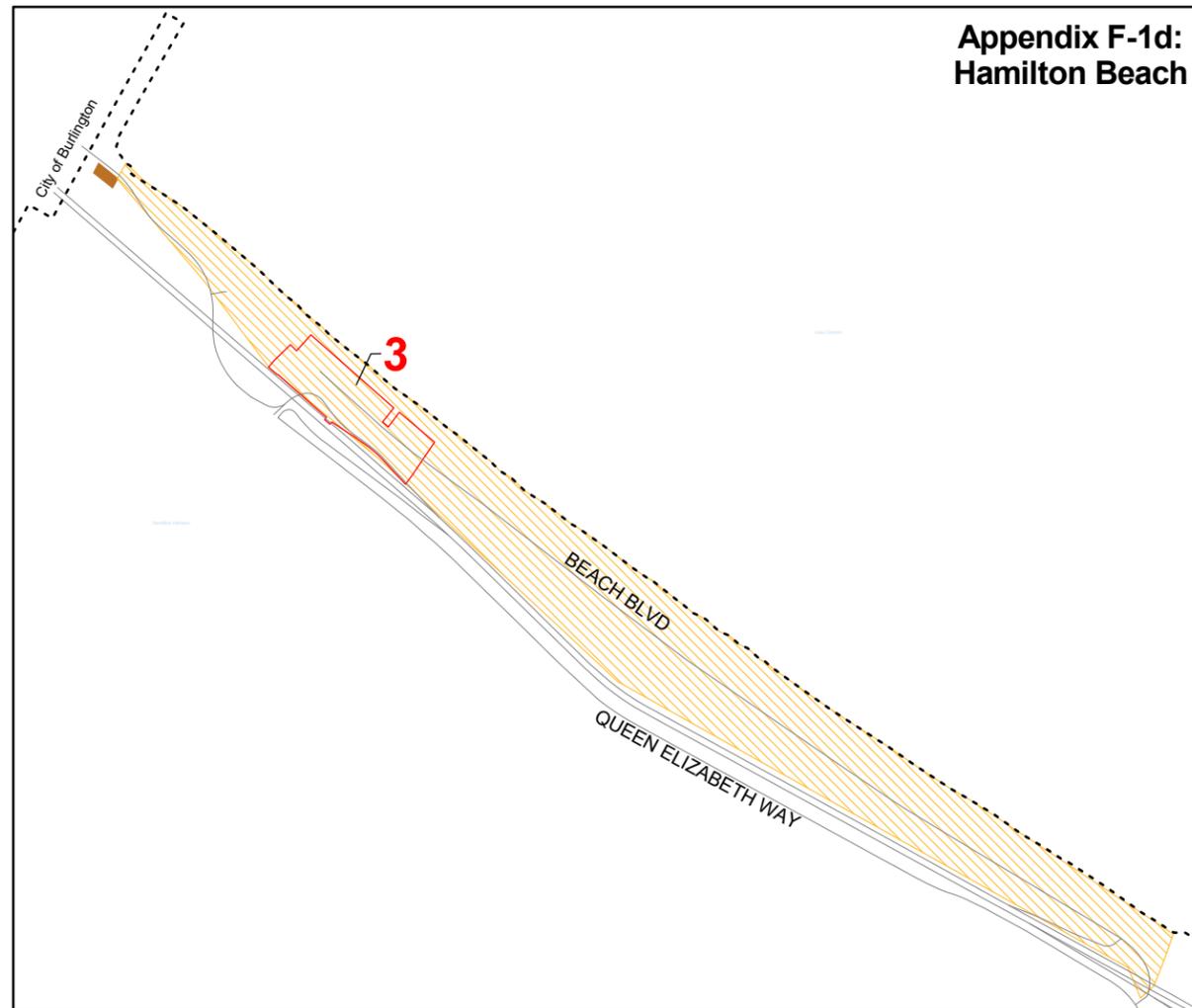
Date: March 29, 2022	Revised By: MP/NB	Reference File No.: CI-21-F
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Key Map

Note: For a detailed view of Cultural Heritage Resources, refer to Appendices F-1, F-2 & F-3.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.



Legend

- Cultural Heritage Landscapes
- Individually Designated Properties
- Heritage Conservation Districts
 - Cross Melville
 - Hamilton Beach
 - Mill St
- Municipal Easements (Part IV)
- Ontario Heritage Trust Easements

Other Features

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

Council Adopted: July 9, 2009
Ministerial Approval: March 16, 2011
Effective Date: August 16, 2013

Urban Hamilton Official Plan
Appendix F-1
Area Specific Cultural Heritage Resources

Date: June 26, 2019
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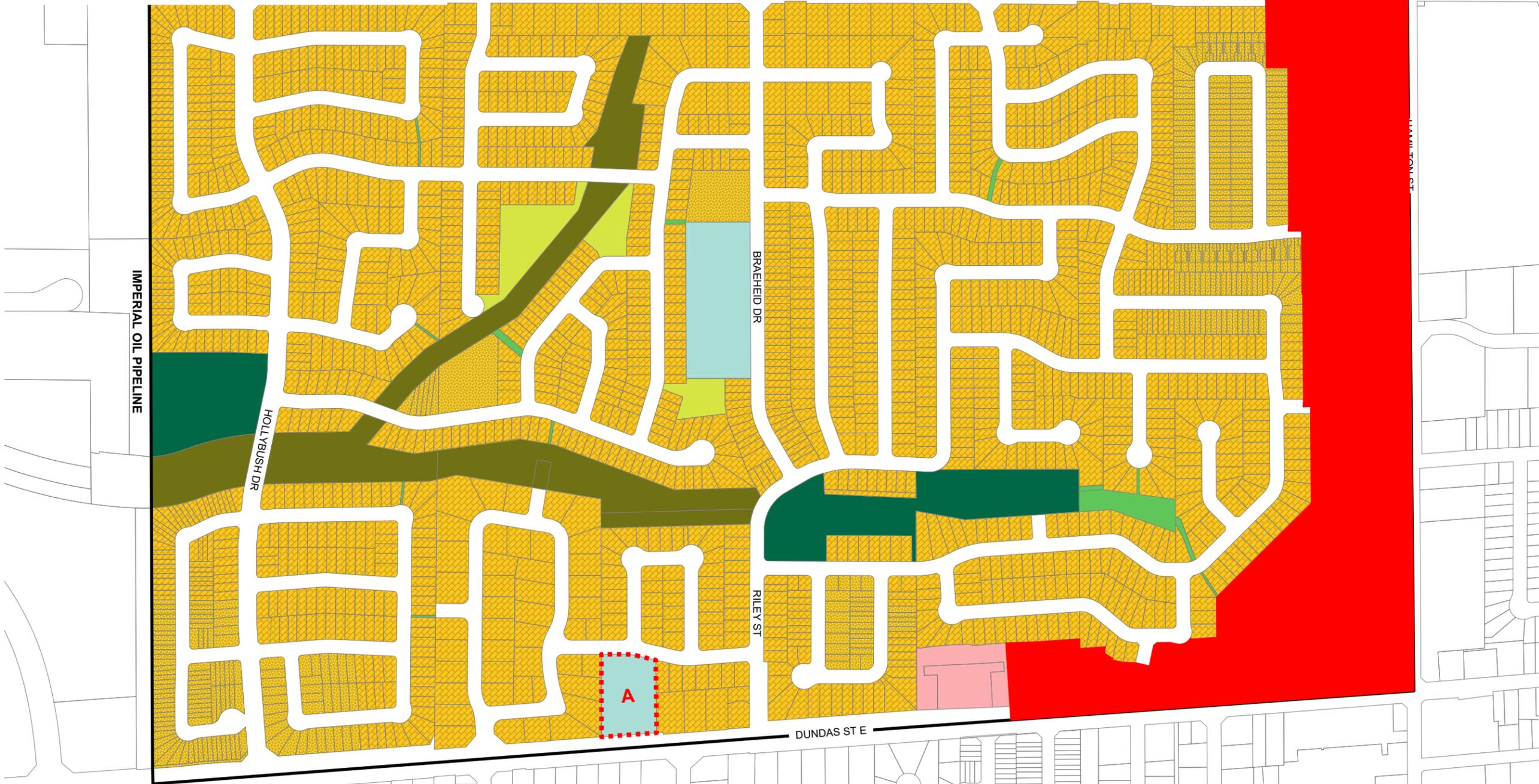
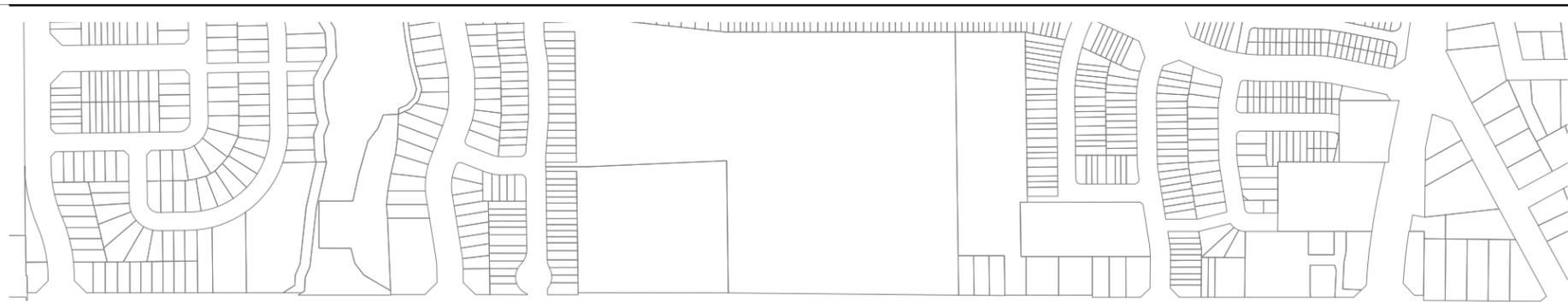
Appendix F
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

 Lands to be removed from West Waterdown Secondary Plan and added to Waterdown Community Node Secondary Plan

Date:
 March 29, 2022

Revised By:
 MP/NB

Reference File No.:
 CI-21-F



Legend

Residential Designations

-  Low Density Residential 2e
-  Low Density Residential 3c

Parks and Open Space Designations

-  Parkette
-  Neighbourhood Park
-  General Open Space
-  Natural Open Space

Other Designations

-  Mixed Use - Medium Density
-  Institutional

Other Features

-  Area or Site Specific Policy
-  Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
West Waterdown
Secondary Plan
 Land Use Plan
 Map B.4.1-1



Not To Scale



Date: June 26, 2019

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Appendix G
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

 Lands to be removed from Waterdown North Secondary Plan Land Use Plan Map B.4.2-1 and added to Waterdown Community Node Secondary Plan

Date:
 March 29, 2022

Revised By:
 MP/NB

Reference File No.:
 CI-21-F

Legend

Residential Designations

-  Low Density Residential 2
-  Low Density Residential 3
-  Medium Density Residential 3
-  High Density Residential 1

Commercial and Mixed Use Designations

-  Mixed Use - Medium Density
-  District Commercial

Parks and Open Space Designations

-  Parkette
-  Neighbourhood Park
-  General Open Space
-  Natural Open Space

Other Designations

-  Institutional
-  Utility
- SWM** Storm Water Management
- WT** Water Tower

Other Features

-  Area or Site Specific Policy
-  Walkways
-  Proposed Roads
-  Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Waterdown North
Secondary Plan
 Land Use Plan
 Map B.4.2-1



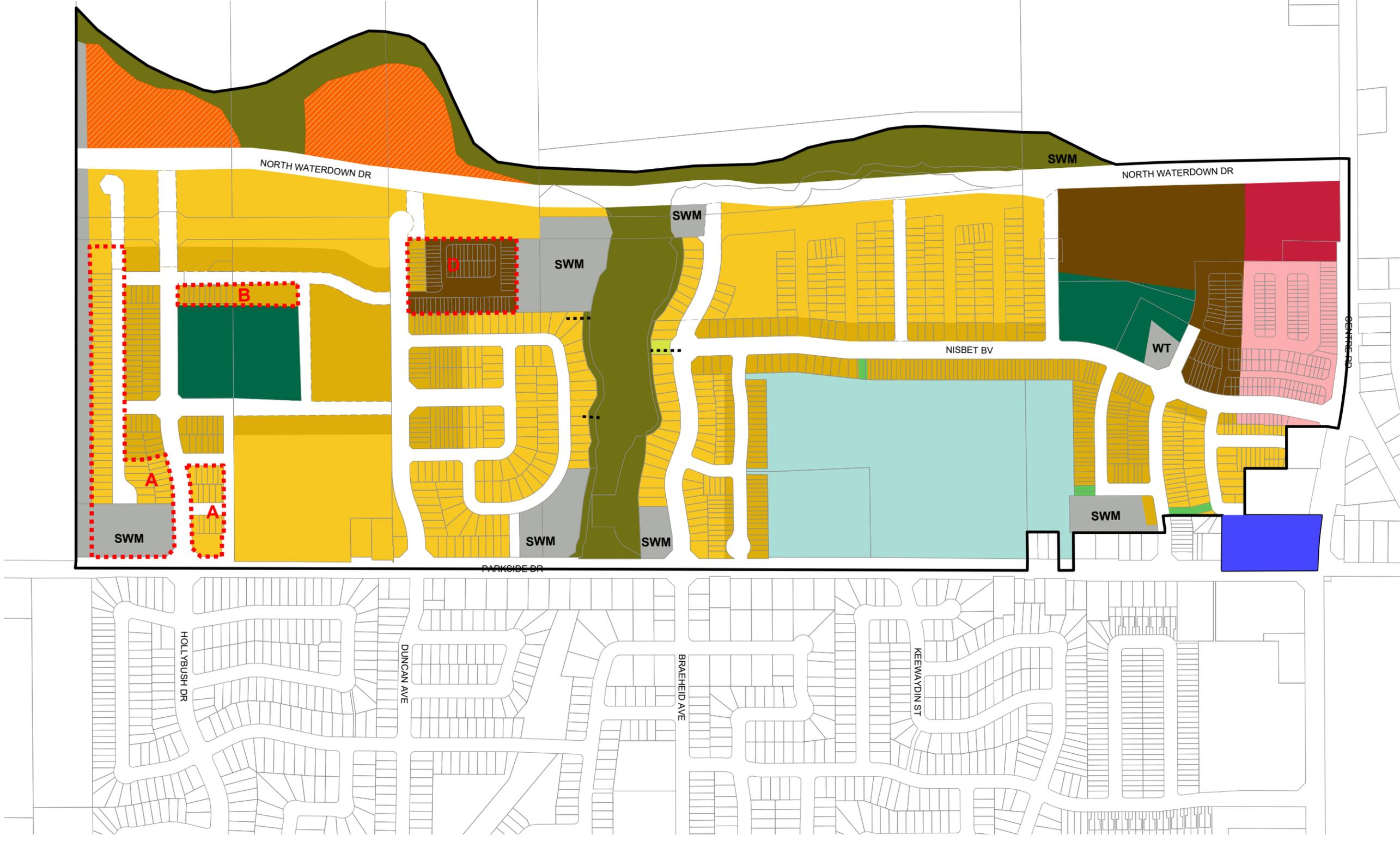
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Date: February 2021

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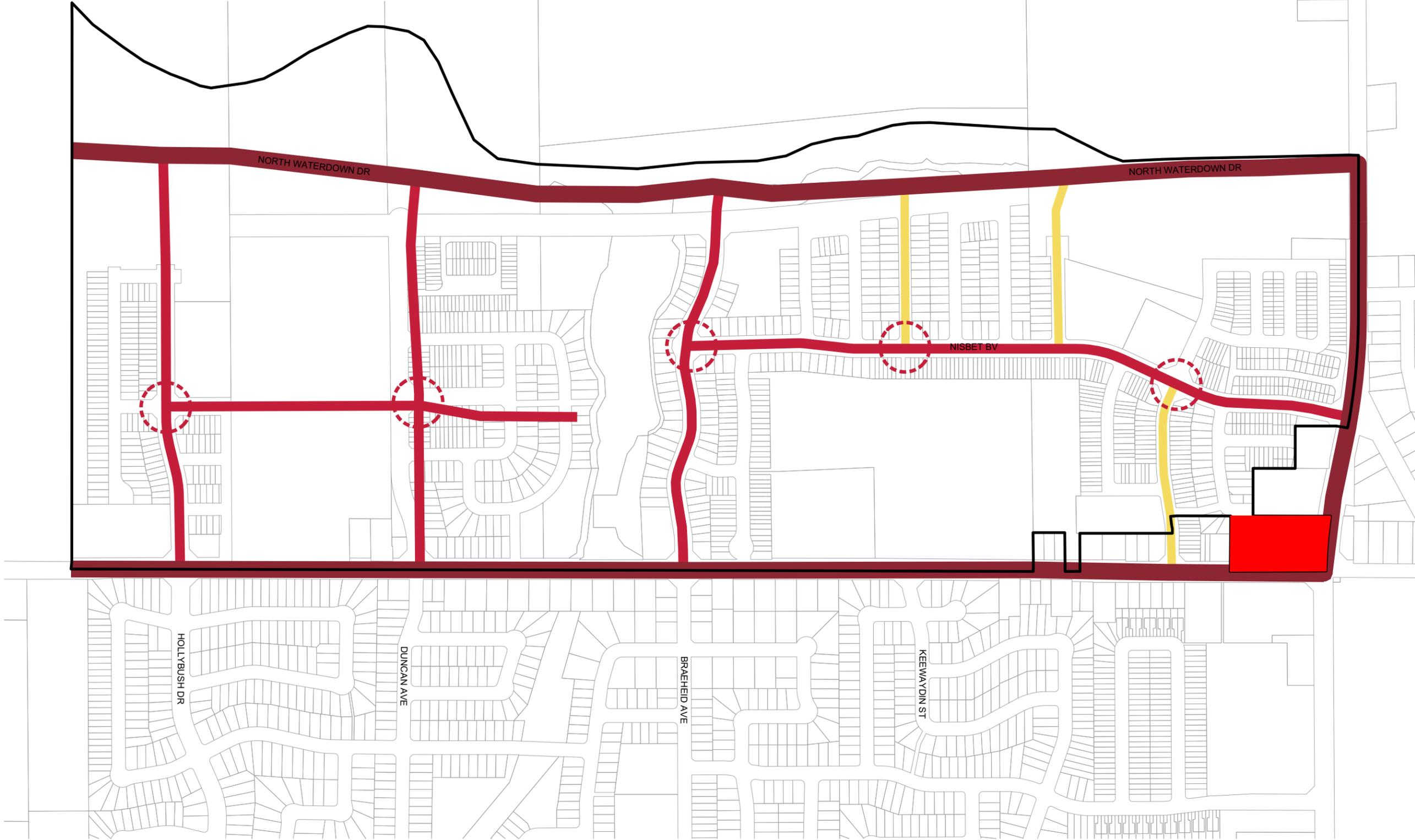
Appendix H
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

 Lands to be removed from Waterdown North Secondary Plan Road Classification Plan Map B.4.2-2 and added to Waterdown Community Node Secondary Plan

Date:
 March 29, 2022

Revised By:
 MP/NB

Reference File No.:
 CI-21-F



Legend

-  Arterial Road
-  Major Collector Road
-  Minor Collector Road
-  Roundabout
-  Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Waterdown North
Secondary Plan
 Road Classification Plan
 Map B.4.2-2



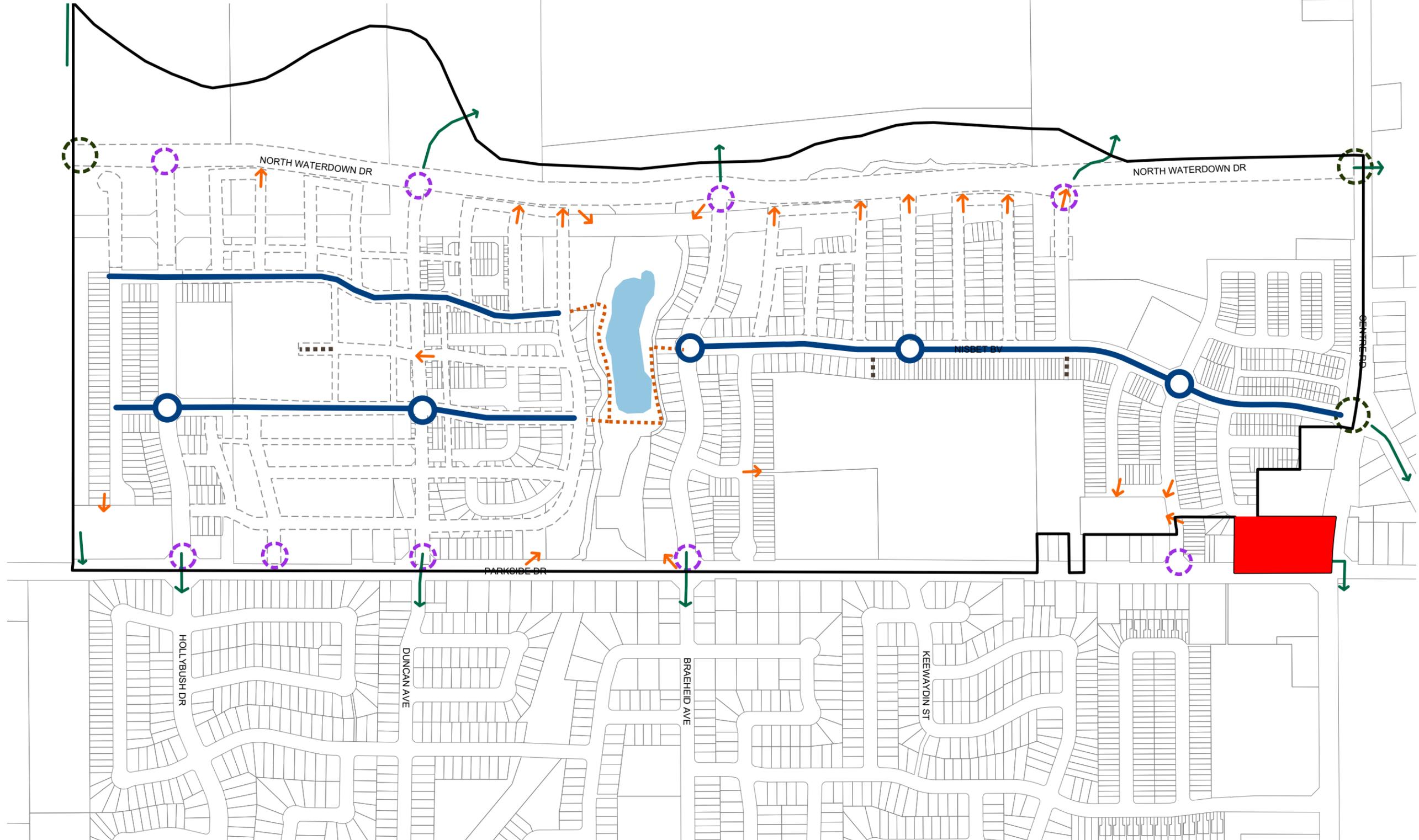
Appendix I
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

■ Lands to be removed from Waterdown North
 Secondary Plan Community Structure Plan
 Appendix A and added to Waterdown
 Community Node Secondary Plan

Date:
 March 29, 2022

Revised By:
 MP/NB

Reference File No.:
 CI-21-F



Legend

- Valley Pond
- Community Gateway
- Neighbourhood Gateway
- Community Spine
- Walkway
- East West Pedestrian Linkage
- Off-Site Pedestrian Linkage
- Primary Views/Vistas
- Proposed Roads
- Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Waterdown North
Secondary Plan
 Community Structure Plan
 Appendix A



Not To Scale



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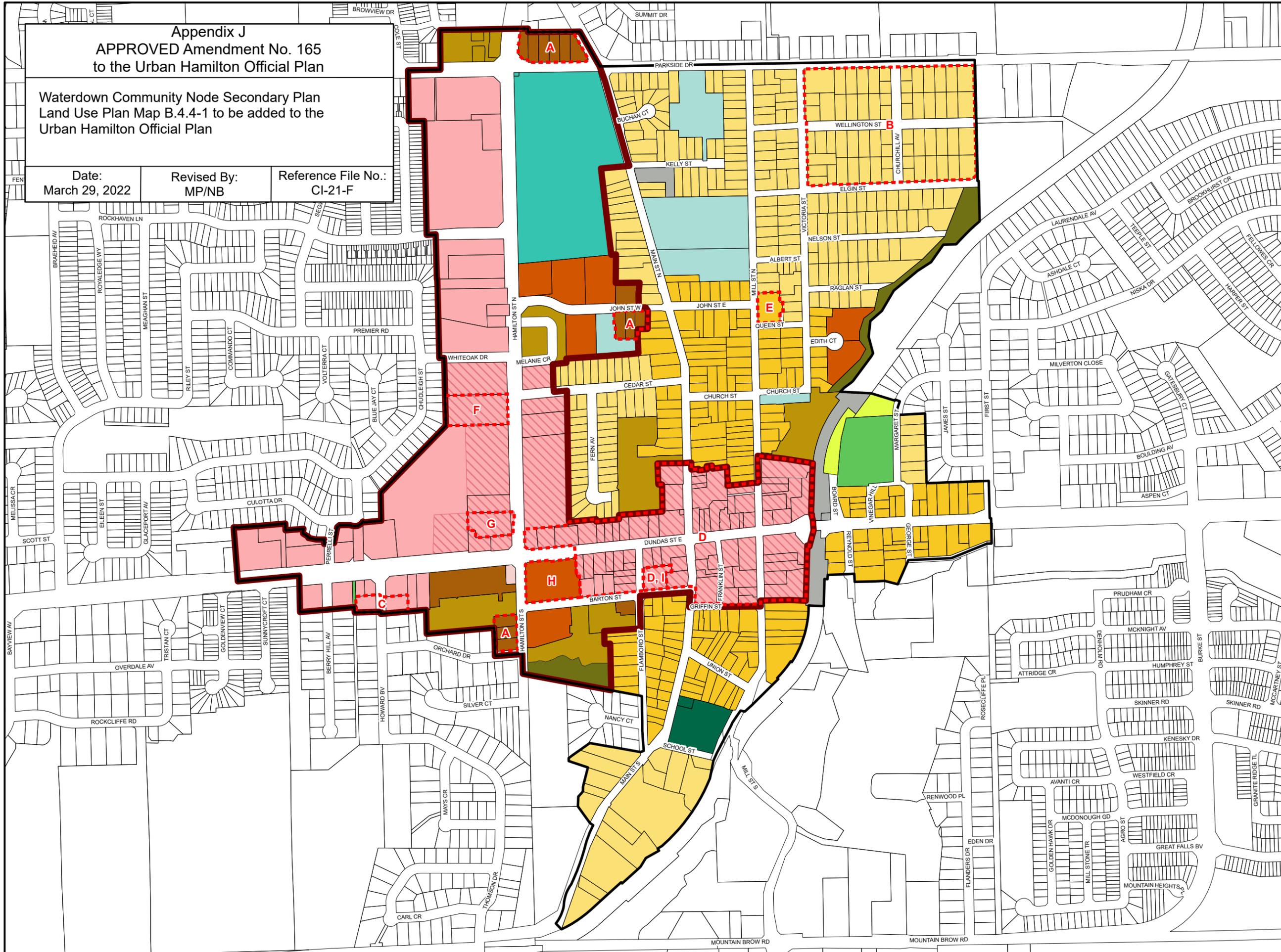
Appendix J
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

Waterdown Community Node Secondary Plan
 Land Use Plan Map B.4.4-1 to be added to the
 Urban Hamilton Official Plan

Date:
 March 29, 2022

Revised By:
 MP/NB

Reference File No.:
 CI-21-F



Legend

- Residential Designations**
- Low Density Residential 1
 - Low Density Residential 2
 - Low Density Residential 3
 - Medium Density Residential 2
 - High Density Residential 1
- Commercial and Mixed Use Designations**
- Local Commercial
 - Mixed Use - Medium Density
- Parks and Open Space Designations**
- Neighbourhood Park
 - Community Park
 - General Open Space
 - Natural Open Space
 - Parkette
- Other Designations**
- Institutional
 - Utility
- Other Features**
- Pedestrian Focus
 - Area or Site Specific Policy
 - Community Node Boundary
 - Secondary Plan Boundary

**Urban Hamilton Official Plan
 Waterdown Community Node
 Secondary Plan
 Land Use Plan Map B.4.4-1**

Not to Scale
 Date: September 2021
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Appendix K
 APPROVED Amendment No.165
 to the Urban Hamilton Official Plan

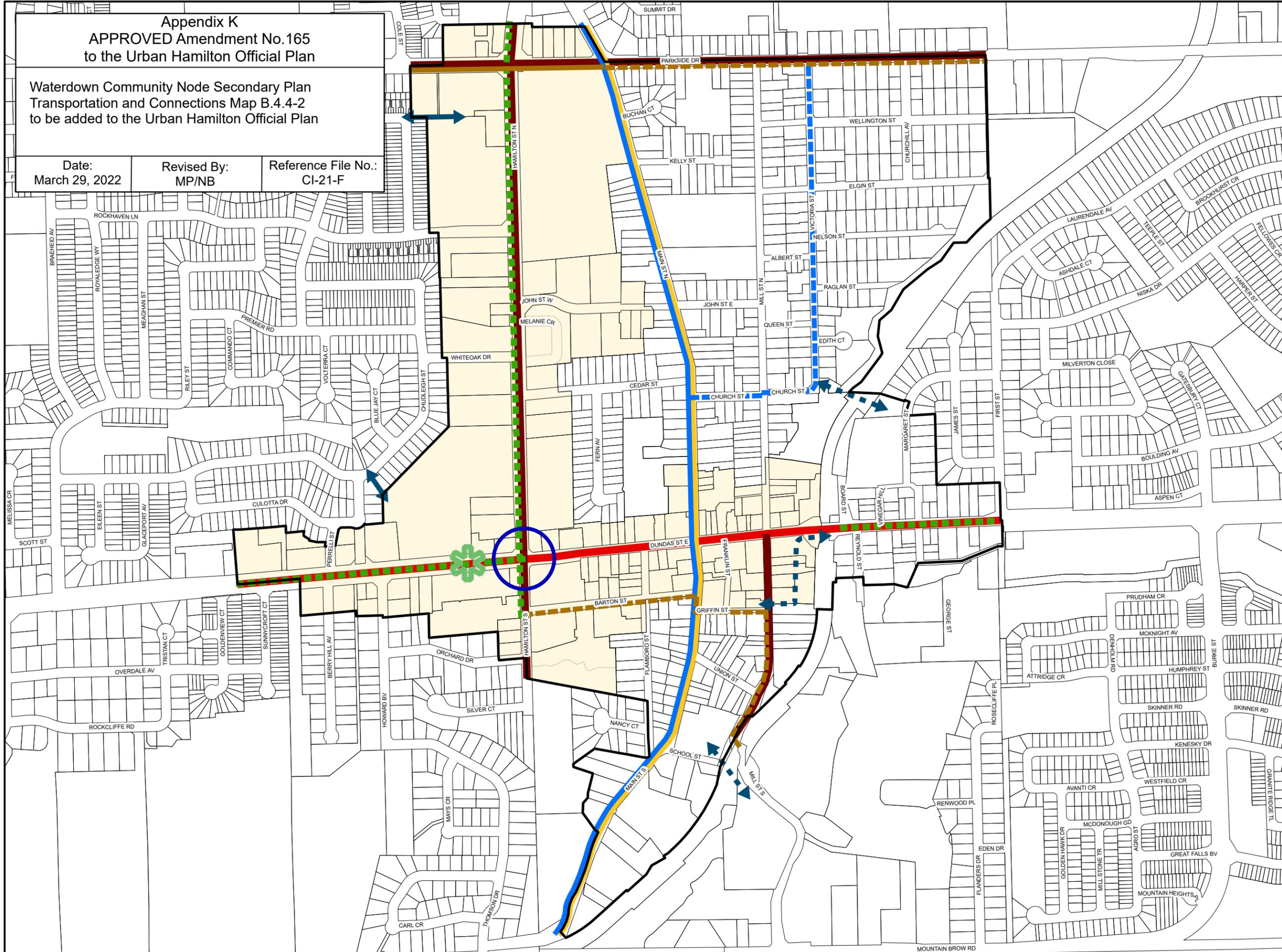
Waterdown Community Node Secondary Plan
 Transportation and Connections Map B.4.4-2
 to be added to the Urban Hamilton Official Plan

Date:
 March 29, 2022

Revised By:
 MP/NB

Reference File No.:
 CI-21-F

*Note: Proposed Active Transportation Connections are approximate and may require further refinement through the Recreational Trails Master Plan.

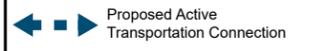
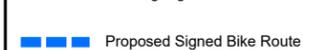
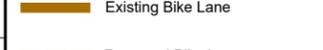
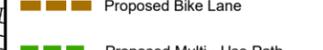
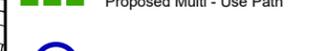


Legend

Road Classifications

-  Major Arterial
-  Minor Arterial
-  Collector

Other Features

-  Existing Active Transportation Connection *
-  Proposed Active Transportation Connection
-  Existing Signed Bike Route
-  Proposed Signed Bike Route
-  Existing Bike Lane
-  Proposed Bike Lane
-  Proposed Multi - Use Path
-  Gateway
-  Potential Future Transit Hub
-  Community Node
-  Secondary Plan Boundary

Urban Hamilton Official Plan
Waterdown Community Node
Secondary Plan
 Transportation and Connections
 Map B.4.4-2

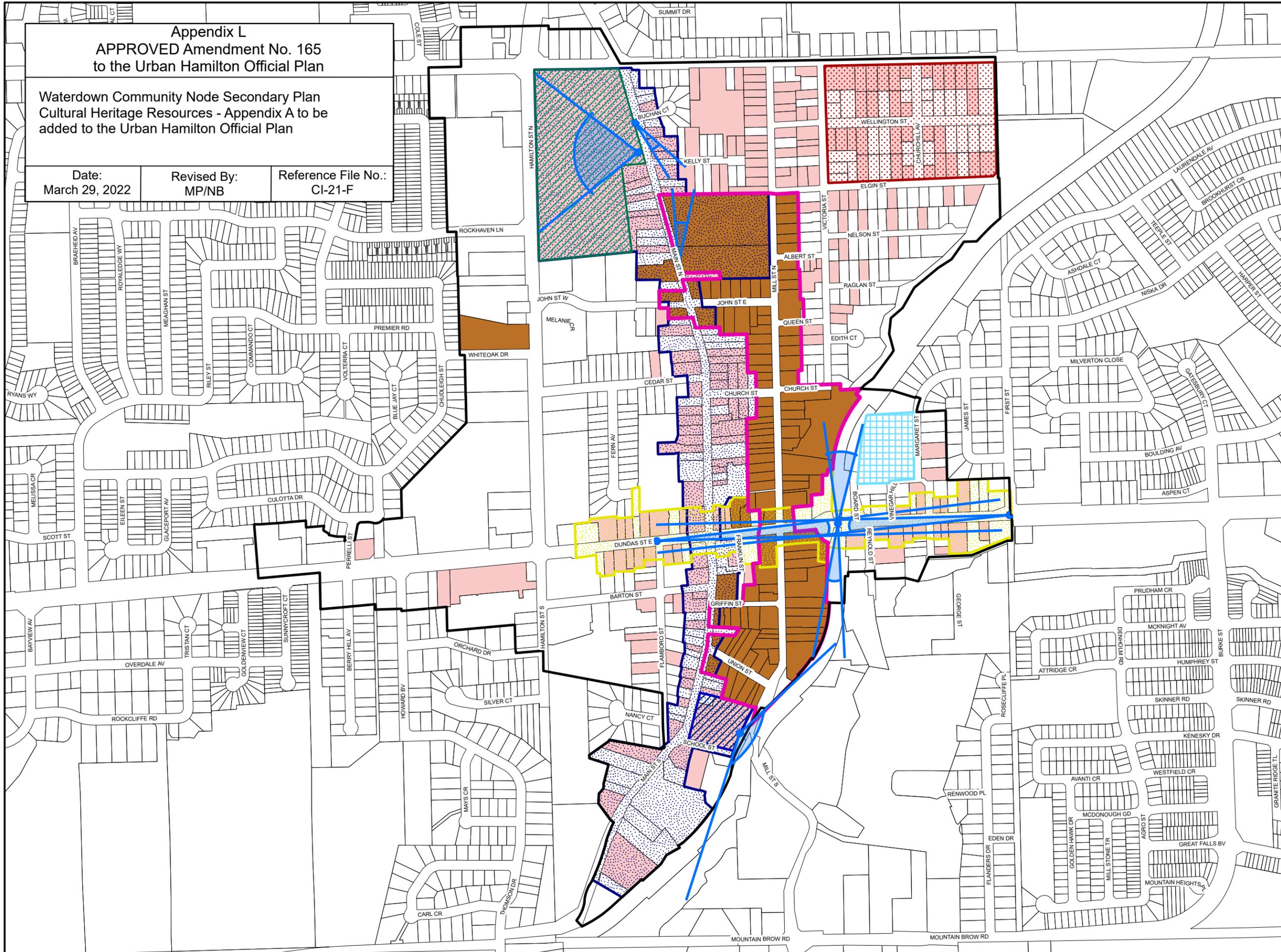
Appendix L
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

Waterdown Community Node Secondary Plan
 Cultural Heritage Resources - Appendix A to be
 added to the Urban Hamilton Official Plan

Date:
 March 29, 2022

Revised By:
 MP/NB

Reference File No.:
 CI-21-F



- Legend**
- Cultural Heritage Landscapes**
- Waterdown Heights Subdivision
 - Waterdown Memorial Park
 - Main Street
 - Union Cemetery
 - Dundas Street
 - Sealey Park
- Other Features**
- Designated under the Ontario Heritage Act
 - Listed on the Municipal Heritage Register
 - Significant View
 - Mill Street Heritage Conservation District
 - Secondary Plan Boundary

Urban Hamilton Official Plan
Waterdown Community Node
Secondary Plan
 Cultural Heritage Resources
 Appendix A

Appendix M
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

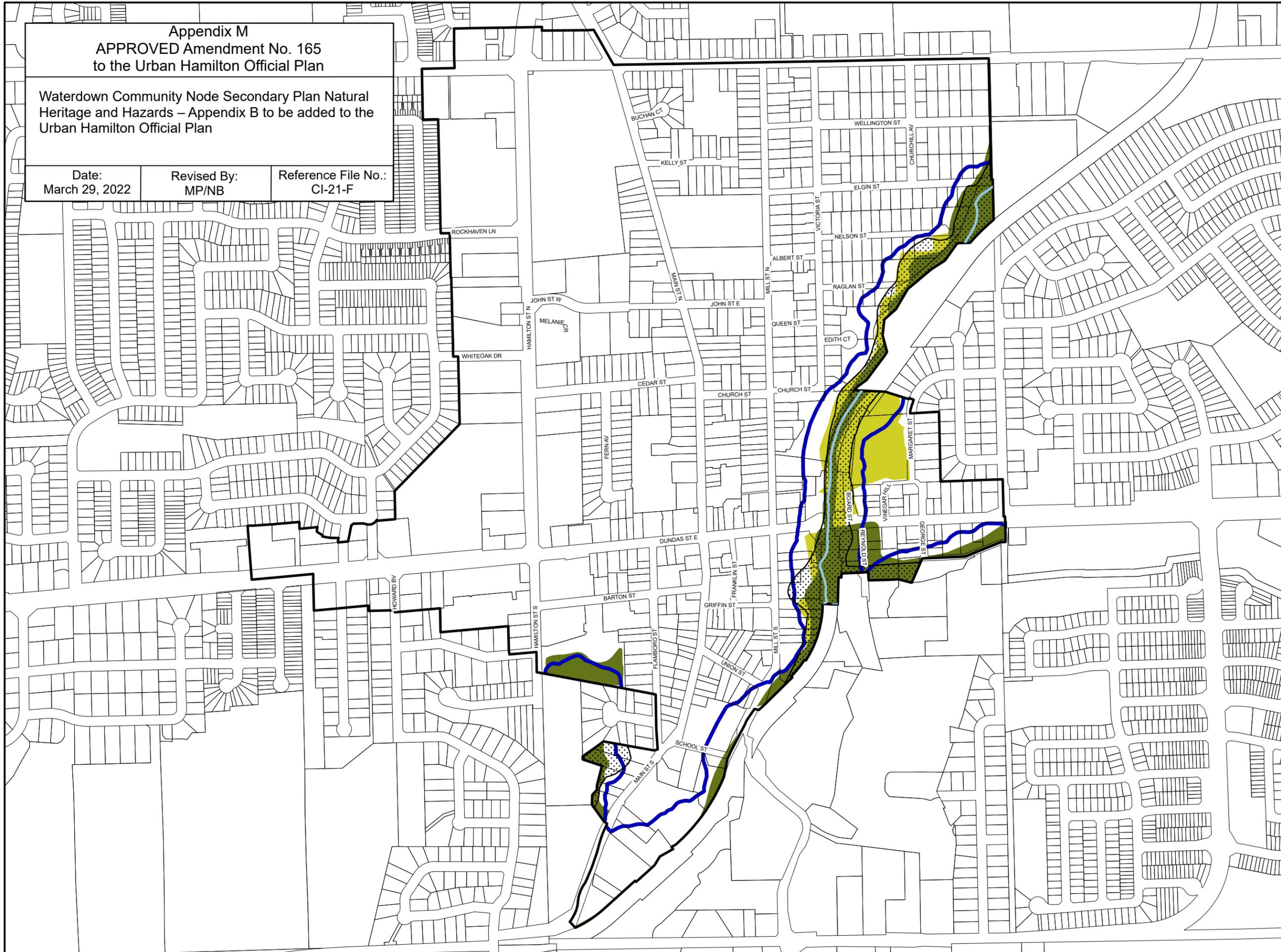
Waterdown Community Node Secondary Plan Natural
 Heritage and Hazards – Appendix B to be added to the
 Urban Hamilton Official Plan

Date:
 March 29, 2022

Revised By:
 MP/NB

Reference File No.:
 CI-21-F

Note: Escarpment Natural Areas
 and Conservation Authority
 Approximate Regulation Limits are
 shown for information only.
 Niagara Escarpment Plan and
 Conservation Authority mapping
 should be consulted to verify
 boundaries.



Legend

Natural Heritage System

- Core Areas
- Linkages
- Streams

Other Features

- Niagara Escarpment Plan - Escarpment Natural Area
- Conservation Authority Approximate Regulation Limit
- Secondary Plan Boundary

Urban Hamilton Official Plan
Waterdown Community Node
Secondary Plan
 Natural Heritage and Hazards
 Appendix B



Not to Scale



Date: September 2021

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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Appendix N
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

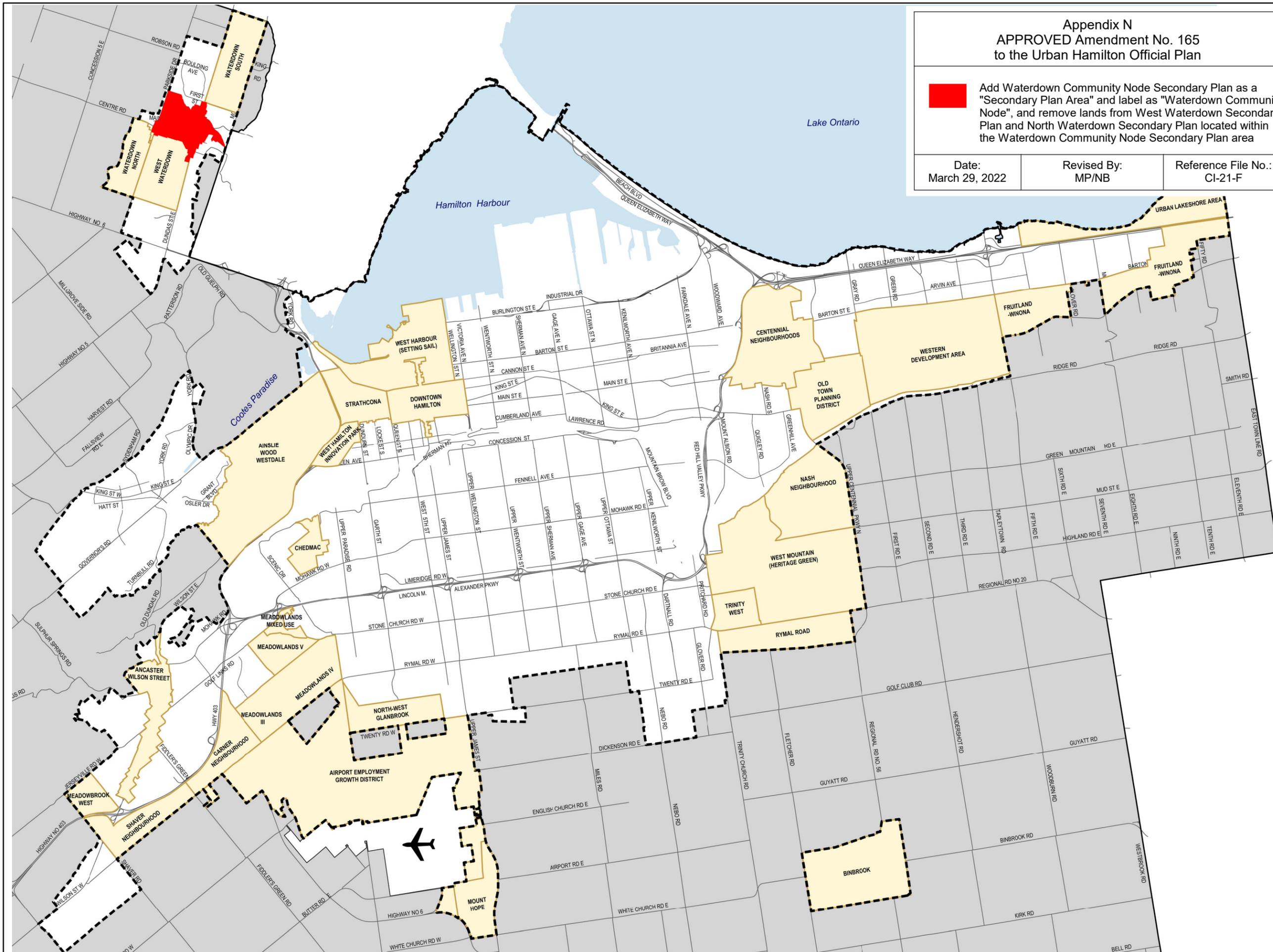
 Add Waterdown Community Node Secondary Plan as a "Secondary Plan Area" and label as "Waterdown Community Node", and remove lands from West Waterdown Secondary Plan and North Waterdown Secondary Plan located within the Waterdown Community Node Secondary Plan area

Date:
 March 29, 2022

Revised By:
 MP/NB

Reference File No.:
 CI-21-F

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.



Legend

 Secondary Plan Area

Other Features

-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary (LEGEND)
-  Municipal Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
 Volume 2: Appendix A
 Secondary Plans Index Map



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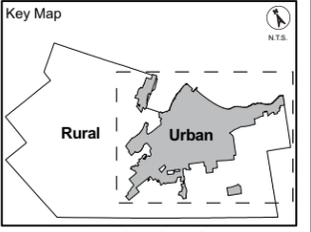


Date: Dec 9, 2020

Appendix O
 APPROVED Amendment No. 165
 to the Urban Hamilton Official Plan

X Urban Site Specific Areas to be removed:
 UFC-1

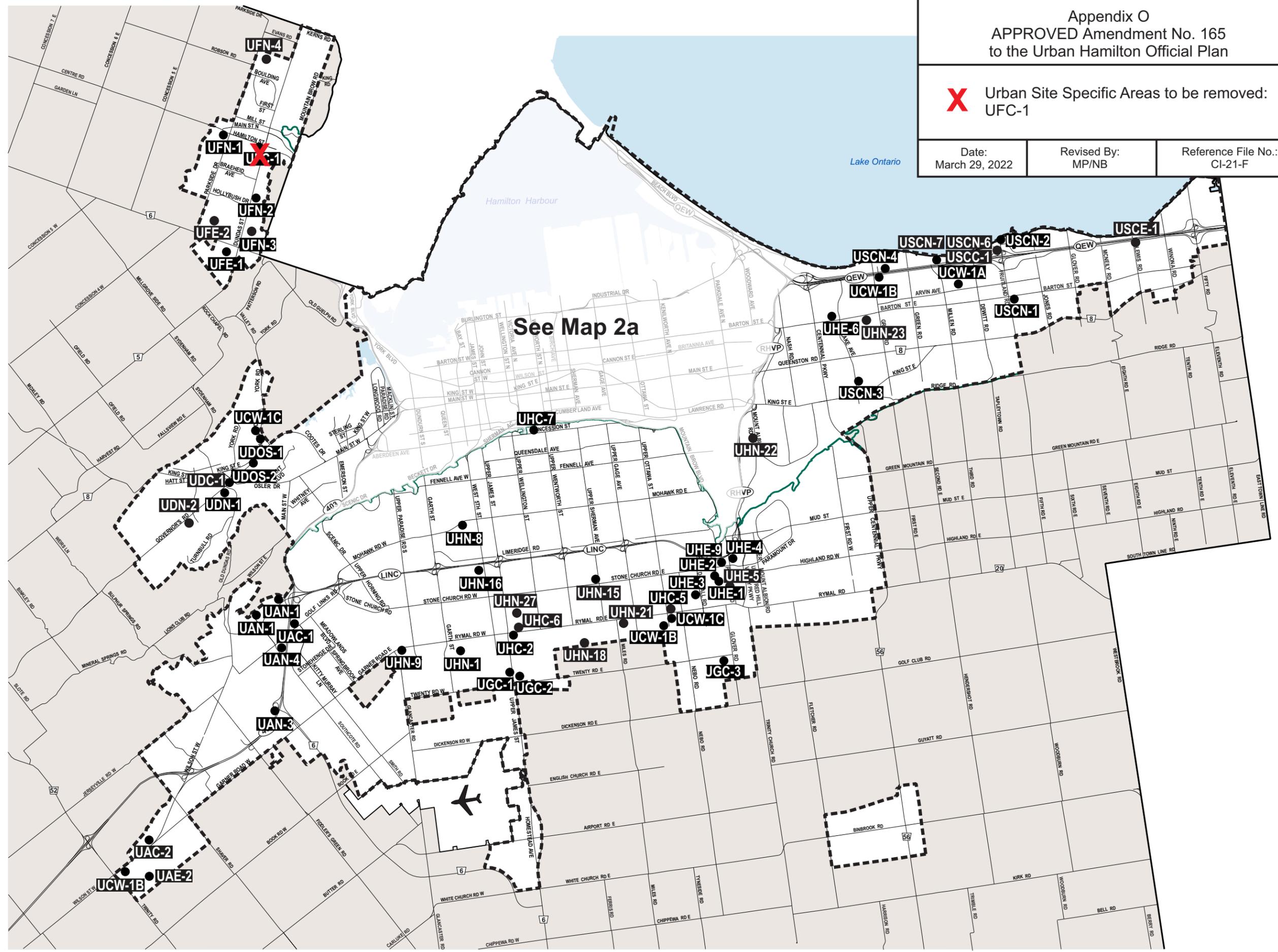
Date: March 29, 2022	Revised By: MP/NB	Reference File No.: CI-21-F
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Note: For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1



See Map 2a

- Legend**
- Site Specific Areas (SSA)
 - U- Refers to Urban Site Specific Area #, Volume 3, Chapter B
- Other Features**
- Rural Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary

Council Adoption: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan
 Volume 3: Map 2
 Urban Site Specific Key Map**



Authority: Item 8, Planning Committee
Report 22-004 (PED22001)
CM: March 30, 2022
Ward: Ward 15

Bill No. 071

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend By-law No. 05-200, Respecting Mixed Use Medium Density and Institutional Lands Located within the Waterdown Community Node Secondary Plan, Hamilton

WHEREAS Council approved Item 8 of Report 22-004 of the Planning Committee, at the meeting held on the 30th day of March, 2022;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. 165;

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

1. That Maps 445, 446, 481, 482, 516 and 517 of Schedule “A” – Zoning Maps appended to and forming part of Zoning By-law No. 05-200 be amended, the boundaries of which are shown on plans hereto annexed as Schedules “A1,” “A2,” “A3,” “A4,” “A5,” “A6,” “A7,” “A8,” “A9,” and “A10,” to this By-law, as follows:
 - 1.1 Lands to be added to Zoning By-law No. 05-200 and zoned Mixed Use Medium Density (C5, 752, 754) Zone (256 Parkside Drive, Flamborough, Schedule “A1”);
 - 1.2 Change in Zoning from the Mixed Use Medium Density (C5, 700) Zone to the Mixed use Medium Density – Pedestrian Focus (C5a, 700, 752) Zone (5-7 Hamilton Street North, Flamborough, Schedule “A2”);
 - 1.3 Change in zoning from the Mixed Use Medium Density (C5, 582) Zone to the Mixed use Medium Density – Pedestrian Focus (C5a, 752, 754) Zone (9 and 71 Hamilton Street North, 267 and 271 Dundas Street East, Flamborough, Schedule “A2”);
 - 1.4 Change in Zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density - Pedestrian Focus (C5a, 752, 754) Zone (20, 22, 24, 26, 28, 32, 36, 38, 40, 42, 44, 48, 54, 56, 58, 62, 64, 70, 74 and 80 Hamilton Street North, Flamborough, Schedule “A2”);

- 1.5 Change in Zoning from the Mixed Use Medium Density (C5, 573, 582) Zone to the Mixed Use Medium Density - Pedestrian Focus (C5a, 573, 752, 754) Zone (61 Hamilton Street North, Flamborough, Schedule "A2");
- 1.6 Change Special Exception Number from the Mixed Use Medium Density – Pedestrian Focus (C5a, 304) Zone to the Mixed Use Medium Density – Pedestrian Focus (C5a, 752, 753) Zone (Part of 18 Hamilton Street North, Flamborough, Schedule "A3");
- 1.7 Add Special Exception Number from Mixed Use Medium Density (C5) Zone to Mixed Use Medium Density (C5, 752, 754) Zone (232, 238, 244, 246, 250, 252 and 254 Dundas Street East, Schedule "A4");
- 1.8 Change Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 752, 754) Zone (79, 81, 83, 87, 89 and 95 Hamilton Street North, 170 Rockhaven Lane, and 221, 229, 233, 241 and 245 Dundas Street East, Block 14 of Plan 62M-582 and Block 29 of Plan 62M-627, Schedule "A4");
- 1.9 Change in Zoning from the Mixed Use Medium Density (C5, 582) Zone to the Mixed Use Medium Density – Pedestrian Focus (C5a, 752, 754, 755) Zone (25 Hamilton Street North and Parts of 255 Dundas Street East, Flamborough, Schedule "A4");
- 1.10 Change Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 752, 754, 755) Zone (145 Hamilton Street North and Part of 255 Dundas Street East, Flamborough, Schedule "A4");
- 1.11 Add Special Exception Number from Mixed Use Medium Density – Pedestrian Focus (C5a) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 752, 753) Zone (4, 50, 54, and 56 Barton Street, 279, 283, 285, 289-301, 288-304, 307-323, 312, 316, 324, 327, 331 and 335 Dundas Street East, 10, 18, 19, 20 and 26 Flamboro Street, 10 and 25 Franklin Street, 7-11, 23 and 27 Griffin Street, Part of 18 Hamilton Street North, 6, 16, 24, 25, 30, 34 and 40 Mill Street North, 5, 11, 15, 19, 22, 26 and 27 Mill Street South, , 1, 9, 17, 20, 30, 34, 35 and 40 Main Street North, 9, 10, 11, 17, 19, 23, 25, 31, 37 Main Street South, Flamborough, Schedule "A5");
- 1.12 Add Special Exception Number from Mixed Use Medium Density – Pedestrian Focus (C5a, 695) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 695, 752, 753) Zone (21 Mill Street North, Flamborough, Schedule "A5");
- 1.13 Add Special Exception Number from Mixed Use Medium Density – Pedestrian Focus (C5a, 304) Zone to Mixed Use Medium Density –

Pedestrian Focus (C5a, 304, 752, 753) Zone (19 Flamboro Street, Flamborough, Schedule “A5”);

- 1.14 Add Special Exception Number from Mixed Use Medium Density (C5) Zone to Mixed Use Medium Density (C5, 752, 753) Zone (50, 54 and 56 Barton Street, Flamborough, Schedule “A5”);
 - 1.15 Change in Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 582, 752, 754, 755) Zone (115 Hamilton Street North, Flamborough, Schedule “A6”);
 - 1.16 Change in Special Exception Number from Neighbourhood Institutional (I1) Zone to Neighbourhood Institutional (I1, 756) Zone (200 Main Street North and 80 Mill Street North, Flamborough, Schedule “A7”);
 - 1.17 Change in Special Exception Number from Neighbourhood Institutional (I2) Zone to Neighbourhood Institutional (I2, 757) Zone (182 Main Street North and 306 Parkside Drive, Flamborough, Schedule “A8”);
 - 1.18 Lands to be removed from Zoning By-law No.05-200 (29 Mill Street North, Flamborough, Schedule “A9”); and,
 - 1.19 Lands to be added to Zoning By-law No. 05-200 and Zoned Mixed Use Medium Density (C5, 752, 754, H122) Zone (3 and 4 Howard Boulevard, Flamborough, Schedule “A10”);
2. That Schedule “C” – Special Exceptions of Zoning By-law No. 05-200 be amended as follows:
- 2.1 That the following Special Exceptions be amended:
 - a) Special Exception No. 304 shall be amended by removing Part of 18-64 Hamilton Street North so that the chart reads as follows:

Property Address	Map Number
925 Barton Street East	956
19 Flamboro Street	482
473-489 Upper Wellington Street North	1039 and 1085
139 and 141 Oak Avenue	912
902 Main Street East	1042
386 Upper Gage Avenue and 63 East 39 th Street	1136
283 and 289 Highway No. 8	1251
889 Upper Paradise Road	1234 and 1287
200 King Street West	860

121 King Street West	860
134, 138 King Street West	860
10 Foundry Street	860
1 Osler Drive	903
1655 Main Street West	947
407, 413 Wilson Street East	1175
82 King Street East	1302 and 1249
605 Garner Road East	1389
136-146 Upper Mount Albion Road	1502
3194 Regional Road 56	1956

- b) Special Exception No. 573 shall be amended by changing all references from “Mixed Use Medium Density” to “Mixed Use Medium Density – Pedestrian Focus” so that it reads as follows:

“Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 481 and 482 of Schedule “A” – Zoning Maps and described as 61 Hamilton Street North, the following special provision shall apply:

- a) In addition to Subsection 10.5a.1, the existing Building and Lumber Supply Establishment shall also be permitted.”

- c) Special Exception No. 582 shall be amended by deleting 221, 229, 233, 241, 245, 255, 267 and 271 Dundas Street East, Block 14 of Plan 62M-582, 9, 61, 71, 79, 81, 83, 87, 89, 95, 145 Hamilton Street North, Part of 50 Culotta Drive and 170 Rockhaven Lane, by deleting clause a), and by renumbering clause b) to clause a) so that the Exception reads as follows:

“Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 445 and 481 of Schedule “A” – Zoning Maps and described as:

Property Address	Map Number
115 Hamilton Street North	445 and 481

- a) Notwithstanding Section 4.12 (f)(ii), for the lands located at 115 Hamilton Street North, expansions to buildings legally existing at the date of the passing of the by-law may be permitted provided the total expansion of the gross floor area of all the buildings on the site does not exceed 1,475 square metres.
- d) Special Exception No. 593 shall be amended by adding the following clause:

“b) Notwithstanding Subsection 10.2.1 and in addition to Subsection 10.2.2, the following uses are prohibited, even as an accessory use:

Motor Vehicle Service Station
Motor Vehicle Gas Bar”

- e) Special Exception No. 700 shall be amended by changing all references from “Mixed Use Medium Density” to “Mixed Use Medium Density – Pedestrian Focus,” as well as deleting clause a) and replacing clauses b) and e) so that the Exception reads as follows:

“Within the lands zoned Mixed Use Medium Density (C5a, 700) Zone identified on Map No. 482 of Schedule “A” and described as 5 Hamilton Street North, the following additional special provisions shall apply:

- a) Notwithstanding Section 5.6 (c)(i), the maximum parking for dwelling units greater than 50 square metres shall be 1.61 spaces per unit;
- b) The finished floor elevation of any dwelling unit shall be a minimum of 0.10 metres above grade;
- c) Notwithstanding Section 10.5a.3 (h)(vi)(1), the principal commercial entrance within the ground floor façade shall be located on the north side of the building; and,
- d) Notwithstanding 10.5a.1.1 ii) 2), dwelling units, mixed use, may be permitted on the ground floor, provided that no ground floor residential uses front onto Hamilton Street North.

- 2.2 That Schedule “C” – Special Exceptions of By-law No. 05-200 is amended by adding the following new Special Exceptions:

“752. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 446, 481, 482, 516 and 517 of Schedule “A1”, “A2”, “A3”, “A4”, “A5” and “A6” – Zoning Maps and described as:

Property Address	Map Number
4 Barton Street	482
50 Barton Street	482
54 Barton Street	482
56 Barton Street	482
Block 14 of Plan 62M-582	482, 516 and 517

Block 29 of Plan 62M-627	516
221 Dundas Street East	516
Property Address	Map Number
229 Dundas Street East	516
232 Dundas Street East	517
233 Dundas Street East	516 and 517
238 Dundas Street East	517
241 Dundas Street East	516 and 517
244 Dundas Street East	517
245 Dundas Street East	482 and 517
246 Dundas Street East	517
250 Dundas Street East	517
252 Dundas Street East	482 and 517
254 Dundas Street East	482 and 517
267 Dundas Street East	482
271 Dundas Street East	482
279 Dundas Street East	482
283-285 Dundas Street East	482
288 Dundas Street East	482
289 Dundas Street East	482
290 Dundas Street East	482
291 Dundas Street East	482
292 Dundas Street East	482
293 Dundas Street East	482
294 Dundas Street East	482
295 Dundas Street East	482
296 Dundas Street East	482
297 Dundas Street East	482
298 Dundas Street East	482
299 Dundas Street East	482
300 Dundas Street East	482
301 Dundas Street East	482
302 Dundas Street East	482
304 Dundas Street East	482
307-309 Dundas Street East	482
311 Dundas Street East	482
312 Dundas Street East	482
313 Dundas Street East	482
315 Dundas Street East	482
316-318 Dundas Street East	482
317 Dundas Street East	482
319 Dundas Street East	482
321 Dundas Street East	482
323 Dundas Street East	482

324 Dundas Street East	482
327 Dundas Street East	482
331 Dundas Street East	482
Property Address	Map Number
335 Dundas Street East	446 and 482
10 Flamboro Street	482
18 Flamboro Street	482
19 Flamboro Street	482
20 Flamboro Street	482
26 Flamboro Street	482
10 Franklin Street	482
25 Franklin Street	482
7-11 Griffin Street	482
23 Griffin Street	482
27 Griffin Street	482
5-7 Hamilton Street North	482
9 Hamilton Street North	482
18 and 20-64 Hamilton Street North	482
25 Hamilton Street North and 255 Dundas Street East	481 and 482
61 Hamilton Street North	481 and 482
70 Hamilton Street North	482
71 Hamilton Street North	481 and 482
74 Hamilton Street North	482
79 Hamilton Street North	481
80 Hamilton Street North	482
81 Hamilton Street North	481
83 Hamilton Street North	481
87 Hamilton Street North	481
89 Hamilton Street North	481
95 Hamilton Street North	481
115 Hamilton Street North	445 and 481
145 Hamilton Street North	445
3 Howard Boulevard	517
4 Howard Boulevard	517
1 Main Street North	482
9 Main Street North	482
17 Main Street North	482
20 Main Street North	482
30 Main Street North	482
34 Main Street North	482
35 Main Street North	482
40 Main Street North	482
9, 11 and 17 Main Street South	482

10 Main Street South	482
19 Main Street South	482
23, 25, 31 and 37 Main Street South	482
6 Mill Street North	446 and 482
Property Address	Map Number
16 Mill Street North	446 and 482
21 Mill Street North	482
24 Mill Street North	446 and 482
25 Mill Street North	482
30 Mill Street North	446 and 482
34 and 40 Mill Street North	446 and 482
5 Mill Street South	482
11 Mill Street South	482
15 Mill Street South	482
19 Mill Street South	482
22 Mill Street South	482
26 Mill Street South	482
27 Mill Street South	482
256 Parkside Drive	445 and 481
170 Rockhaven Lane	481

the following special provisions shall apply:

- a) On a lot containing greater than 20 dwelling units, the required Amenity Area shall include a minimum of 40 square metres for a single common outdoor Amenity Area at the ground level;
- b) The common Amenity Area required by Subsection a) of Special Exception 752 shall not include any required Planting Strips and shall have a minimum width of 4 metres; and,
- c) Notwithstanding Section 10.5.3 i) and 10.5a.3 i), where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.

753. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 446 and 482 of Schedule “A5” – Zoning Maps and described as:

Property Address	Map Number
4 Barton Street	482
50 Barton Street	482
54 Barton Street	482

56 Barton Street	482
279 Dundas Street East	482
283-285 Dundas Street East	482
288 Dundas Street East	482
Property Address	Map Number
289 Dundas Street East	482
290 Dundas Street East	482
291 Dundas Street East	482
292 Dundas Street East	482
293 Dundas Street East	482
294 Dundas Street East	482
295 Dundas Street East	482
296 Dundas Street East	482
297 Dundas Street East	482
298 Dundas Street East	482
299 Dundas Street East	482
300 Dundas Street East	482
301 Dundas Street East	482
302 Dundas Street East	482
304 Dundas Street East	482
307-309 Dundas Street East	482
311 Dundas Street East	482
312 Dundas Street East	482
313 Dundas Street East	482
315 Dundas Street East	482
316-318 Dundas Street East	482
317 Dundas Street East	482
319 Dundas Street East	482
321 Dundas Street East	482
323 Dundas Street East	482
324 Dundas Street East	482
327 Dundas Street East	482
331 Dundas Street East	482
335 Dundas Street East	446 and 482
10 Flamboro Street	482
18 Flamboro Street	482
19 Flamboro Street	482
20 Flamboro Street	482
26 Flamboro Street	482
10 Franklin Street	482
25 Franklin Street	482
7-11 Griffin Street	482
23 Griffin Street	482
27 Griffin Street	482

18 Hamilton Street North	482
1 Main Street North	482
9 Main Street North	482
17 Main Street North	482
20 Main Street North	482
Property Address	Map Number
30 Main Street North	482
34 Main Street North	482
35 Main Street North	482
40 Main Street North	482
9, 11 and 17 Main Street South	482
10 Main Street South	482
19 Main Street South	482
23, 25, 31 and 37 Main Street South	482
6 Mill Street North	446 and 482
16 Mill Street North	446 and 482
21 Mill Street North	482
24 Mill Street North	446 and 482
25 Mill Street North	482
30 Mill Street North	446 and 482
34 and 40 Mill Street North	446 and 482
5 Mill Street South	482
11 Mill Street South	482
15 Mill Street South	482
19 Mill Street South	482
22 Mill Street South	482
26 Mill Street South	482
27 Mill Street South	482

the following special provisions shall apply:

- a) Notwithstanding Section 10.5a.1.1 iii) 1., Commercial Parking Facilities may be permitted on the ground floor and not wholly contained within a Building. A Commercial Parking Facility not wholly contained within a Building shall not be permitted on a lot with frontage on Dundas Street unless a Building is located between parking spaces and the street;
- b) Where a Commercial Parking Facility is contained within a Building, with the exception of an access driveway to the parking facility, that portion of the ground floor of the facility which faces any street shall only be used for permitted uses other than parking;
- c) Notwithstanding Section 10.5.3 d) ii) and iii) and Section 10.5a.3 d)

- ii) and iii), the maximum Building Height shall be 11.0 metres;
 - d) Notwithstanding Section 10.5a.3 h) ix), a minimum of 80 percent of the area of the ground floor façade facing the street shall be composed of doors and windows;
 - e) Subsection d) of Special Exception 753 shall not apply to Existing façades;
 - f) In addition to Subsection d) of Special Exception 753, window and doorframes, clear glazed transoms and sidelights, and a sill up to 0.6m in height are permitted to be included in the calculation of the door and window area. Signage and opaque/spandrel glazing shall not be included in the calculation of the door and window area;
 - g) A minimum of 25% and a maximum of 40% of the façade of second and third storeys shall be composed of windows. Window frames, clear glazed transoms and sidelights, and a sill up to 0.6m in height are permitted to be included in the calculation of the window area. Signage and opaque/spandrel glazing shall not be included in the calculation of the window area;
 - h) Exterior building cladding, except decorative architectural features (such as window and door frames, sills, lintels, surrounds, and cornices), shall be of either one or a combination of no more than two of the following materials:
 - 1. Brick;
 - 2. Concrete panels;
 - 3. Stone block, excluding manufactured stone veneer;
 - 4. Wood;
 - 5. Composite siding;
 - 6. Stucco; and,
 - 7. Metal and metal panels, excluding aluminium siding or any metal variant thereof.
 - i) Notwithstanding Subsections d) to h) of Special Exception 753, for properties designated under the *Ontario Heritage Act*, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply.
754. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 481, 482, 516 and 517 of Schedules “A1”, “A2”, “A4”, and “A6” – Zoning Maps and described as:

Property Address	Map Number
Block 14, Plan 62M-582	482, 516 and 517
Block 29, Plan 62M-627	516
221 Dundas Street East	516
229 Dundas Street East	516
232 Dundas Street East	517
Property Address	Map Number
233 Dundas Street East	516 and 517
238 Dundas Street East	517
241 Dundas Street East	516 and 517
244 Dundas Street East	517
245 Dundas Street East	482 and 517
246 Dundas Street East	517
250 Dundas Street East	517
252 Dundas Street East	482 and 517
254 Dundas Street East	482 and 517
267 Dundas Street East	482
271 Dundas Street East	482
9 Hamilton Street North	482
20-64 Hamilton Street North	482
25 Hamilton Street North and 255 Dundas Street East	481 and 482
61 Hamilton Street North	481 and 482
70 Hamilton Street North	482
71 Hamilton Street North	481 and 482
74 Hamilton Street North	482
79 Hamilton Street North	481
80 Hamilton Street North	482
81 Hamilton Street North	481
83 Hamilton Street North	481
87 Hamilton Street North	481
89 Hamilton Street North	481
95 Hamilton Street North	481
115 Hamilton Street North	445 and 481
145 Hamilton Street North	445
3 Howard Boulevard	517
4 Howard Boulevard	517
256 Parkside Drive	445 and 481
170 Rockhaven Lane	481

the following special provisions shall apply:

- a) For Buildings greater than 11.0 metres in Building Height, a minimum Building stepback of 2.0 metres shall be required

above the second storey along any Building face adjacent to a street;

- b) For Buildings greater than 11.0 metres in Building Height, a minimum Building setback of 2.5 metres shall be required above the second storey along a Building face adjacent to a Side Yard;
- c) The minimum Building Setback from a street line shall be 2.0 metres;
- d) Where a Commercial Parking Facility is contained within a Building in a Mixed Use Medium Density (C5) Zone, with the exception of an access driveway to the parking facility, that portion of the ground floor of the facility which faces any street shall only be used for permitted uses other than parking;
- e) A minimum 3.0 metre wide Planting Strip shall be provided along every Side Lot Line and Rear Lot Line;
- f) A minimum of 60 percent of the area of the ground floor façade facing the street shall be composed of doors and windows; and,
- g) Subsection f) of Special Exception 754 shall not apply to Existing façades.

755. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 481 and 482 of Schedules “A2”, “A4”, and “A6” – Zoning Maps and described as 25, 115 and 145 Hamilton Street North and 255 Dundas Street East, the following special provisions shall apply:

- a) For the lands located at 115 and 145 Hamilton Street North, the minimum combined gross floor area for all non-residential uses shall be 8,306 square metres; and,
- b) For the lands located at 25 Hamilton Street North and 255 Dundas Street East, the minimum combined gross floor area for all non-residential uses shall be 8,160 square metres.

756. Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Maps 445 and 446 of Schedule “A7” – Zoning Maps and described as 200 Main Street North and 80 Mill Street North, the following special provisions shall apply:

- a) In addition to the permitted uses in Subsection 8.1.1, a Multiple Dwelling shall be permitted within an Existing Building designated under the *Ontario Heritage Act*, provided that no additions to the Building are made except for minor additions to accommodate the requirements of the *Accessibility for Ontarians with Disabilities Act*.
- b) A Multiple Dwelling as permitted by Subsection a) of Special Exception 756 shall comply with regulations 8.1.3.1 a), c), d), e), f), g), h), k) and l);
- c) Notwithstanding Subsections 8.1.3.3 g) and 8.1.3.4 g), the maximum Building Height for Single Detached, Duplex and Semi-Detached Dwellings shall be 9.0 metres;
- d) Flat roofs shall not be permitted for Single Detached, Duplex and Semi-Detached Dwellings;
- e) For the purposes of Subsection d) of Special Exception 756, a flat roof shall be defined as a roof with no slope or a slope less than or equal to 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizontal roof area;
- f) Rooftop Amenity Areas shall not be permitted; and,
- g) Balconies and terraces above the first floor shall only be permitted in a Front Yard or Flankage Yard.

757. Within the lands zoned Community Institutional (I2) Zone, identified on Maps 445 and 446 of Schedule "A8" – Zoning Maps and described as 182 Main Street North and 306 Parkside Drive, the following special provisions shall apply:

- a) In addition to the permitted uses in Subsection 8.2.1, a Multiple Dwelling shall be permitted within an Existing Building designated under the *Ontario Heritage Act*, provided that no additions to the Building are made except for minor additions to accommodate the requirements of the *Accessibility for Ontarians with Disabilities Act*;
- b) A Multiple Dwelling as permitted by Subsection a) of Special Exception 757 shall comply with regulations 8.2.3.1 a), b), c), d), e), f), i) and j);
- c) Notwithstanding Subsection 8.2.3.3 g) and 8.2.3.4 g), the maximum Building Height for Single Detached, Duplex, Semi-Detached and Street Townhouse Dwellings shall be 9.0 metres;

- d) Flat roofs shall not be permitted for Single Detached, Duplex, Semi-Detached and Street Townhouse Dwellings;
 - e) For the purposes of Subsection d) of Special Exception 757, a flat roof shall be defined as a roof with no slope or a slope less than or equal to 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizontal roof area;
 - f) Rooftop Amenity Areas shall not be permitted; and,
 - g) Balconies and terraces above the first floor shall only be permitted in a Front Yard or Flankage Yard.
3. That Schedule “D” – Holding Provisions for Specific Lands of Zoning By-law No. 05-200 be amended as follows:
- 3.1 That Schedule “D” – Holding Provisions for Specific Lands of Zoning By-law No. 05-200 is amended by adding the following new Holding Provision:
122. Notwithstanding Subsection 10.5 and Special Exception Nos. 752 and 754 of this By-law, on those lands zoned Mixed Use Medium Density (C5, 752, 754, H122) Zone, identified on Map 517 of Schedule “A” – Zoning Maps and described as 3 and 4 Howard Boulevard, no development shall be permitted until such time as:
- i) The subject lands are developed in conjunction with adjacent lands abutting Dundas Street East, being 244 or 246 Dundas Street East adjacent to 3 Howard Boulevard and 250 Dundas Street East adjacent to 4 Howard Boulevard, to the satisfaction of the Director of Planning and Chief Planner, Planning and Economic Development Department.
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*.
5. That for the purposes of the Building Code, this by-law or any part of it is not made until it has come into force as provided by sections 34 and 36 of the *Planning Act*.
6. That this By-law comes into force in accordance with sections 34 and 36 of the *Planning Act*.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI-21-F



<p>This is Schedule "A1" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A1"</h2> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 445, 481</p>	<p>Subject Property</p> <p>256 Parkside Drive</p> <p> Lands to be added to Zoning By-law No. 05-200 and zoned Mixed Use Medium Density (C5, 752, 754) Zone</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	
<p>Date: October 25, 2021</p>	<p>Planner/Technician: JR/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



This is Schedule "A2" to By-law No. 22-
 Passed the day of, 2022

 Mayor

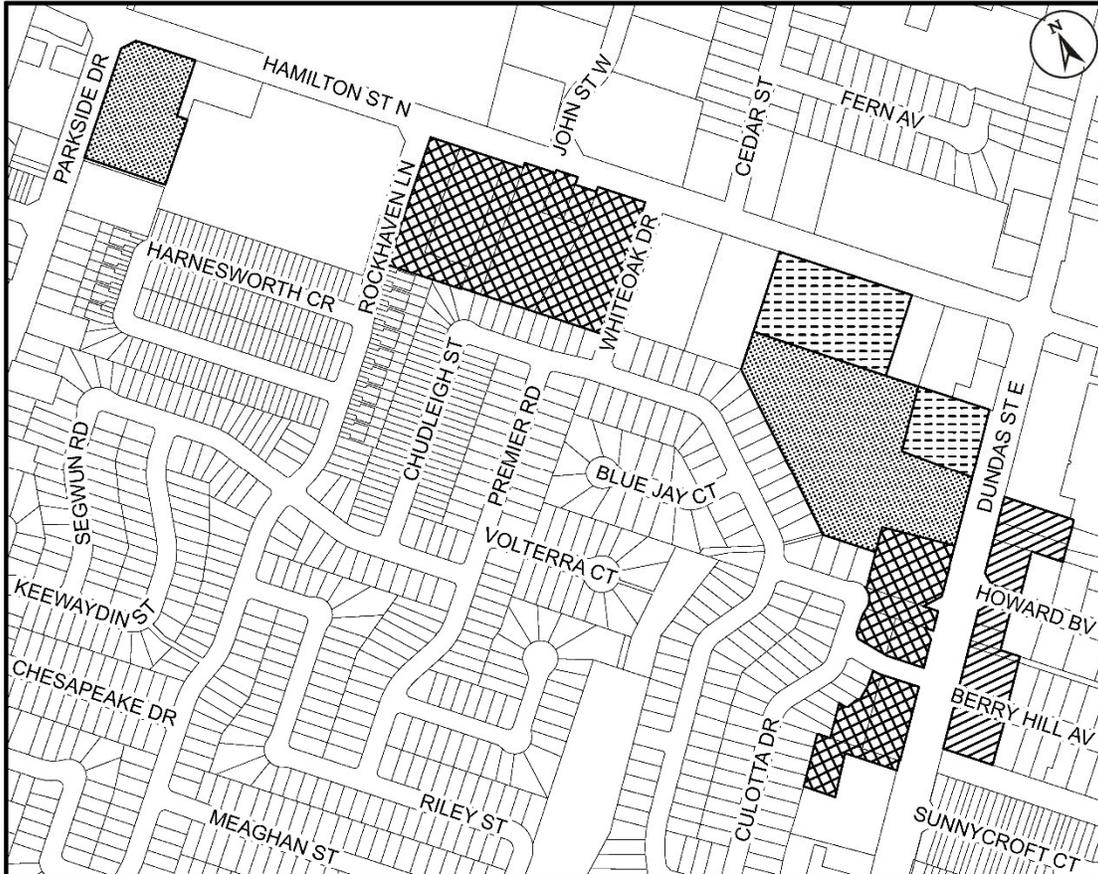
 Clerk

Schedule "A2"
 Map forming Part of
 By-law No. 22-_____
 to Amend By-law No. 05-200
 Map 481, 482

- Subject Property**
-  5 and 7 Hamilton Street North: Change in Zoning from Mixed Use Medium Density (C5, 700) Zone to Mixed Use Medium Density - Pedestrian Focus (C5a, 700, 752) Zone
 -  9 and 71 Hamilton Street North and 267 and 271 Dundas Street East: Change in Zoning from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density - Pedestrian Focus (C5a, 752, 754) Zone
 -  20-64, 70, 74 and 80 Hamilton Street North: Change in Zoning from Mixed Use Medium Density (C5) Zone to Mixed Use Medium Density - Pedestrian Focus (C5a, 752, 754) Zone
 -  61 Hamilton Street North: Change in Zoning from Mixed Use Medium Density (C5, 573, 582) Zone to Mixed Use Medium Density Pedestrian Focus (C5a, 573, 752, 754) Zone

Scale: N.T.S	File Name/Number: Waterdown Community Node Secondary Plan	
Date: October 25, 2021	Planner/Technician: EB/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

			
<p>This is Schedule "A3" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>		
<h2>Schedule "A3"</h2> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 482</p>			
<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>		<p>Date: October 25, 2021</p>
<p>Planner/Technician: EB/NB</p>			<p>Subject Property</p> <p>Part of 18 Hamilton Street North</p> <p> Change in Special Exception Number from Mixed Use Medium Density – Pedestrian Focus (C5a, 304) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 752, 753) Zone</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		<p>Hamilton</p>	



This is Schedule "A4" to By-law No. 22-

Passed the day of, 2022

Mayor

Clerk

Schedule "A4"

Map forming Part of
By-law No. 22-_____

to Amend By-law No. 05-200
Maps 445, 481, 482, 516 & 517

- Subject Property**
-  Add Special Exception Number from Mixed Use Medium Density (C5) Zone to Mixed Use Medium Density (C5, 752, 754) Zone
 -  Change Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 752, 754) Zone
 -  145 Hamilton Street North and Part of 255 Dundas Street East: Change Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 752, 754, 755) Zone
 -  25 Hamilton Street North and Part of 255 Dundas Street East: Change in Zoning from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 752, 754, 755) Zone

Scale: N.T.S.	File Name/Number: Waterdown Community Node Secondary Plan	
Date: November 18, 2021	Planner/Technician: EB/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		Hamilton

Hamilton



This is Schedule "A5" to By-law No. 22-

Passed the day of, 2022

Mayor

Clerk

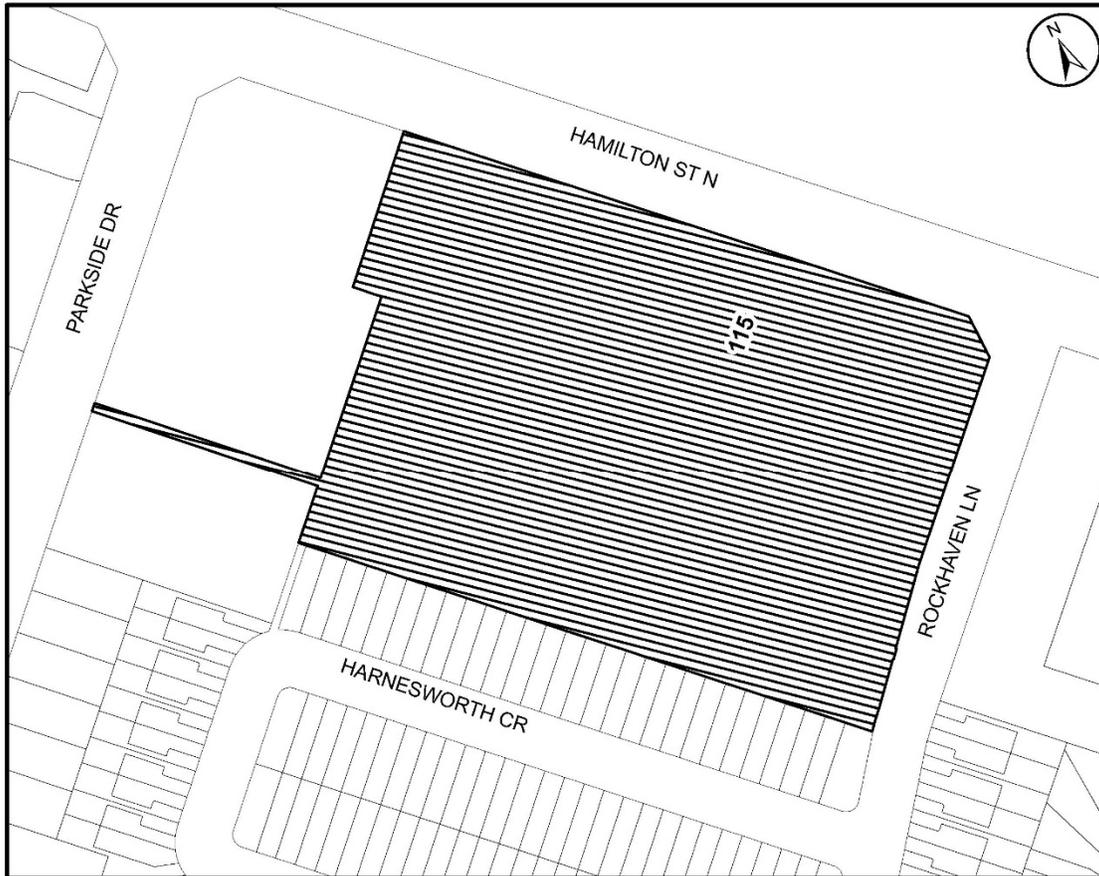
Schedule "A5"

Map forming Part of
By-law No. 22-_____

to Amend By-law No. 05-200
Map 446, 482

- Subject Property**
-  Add Special Exception Number from Mixed Use Medium Density - Pedestrian Focus (C5a) Zone to Mixed Use Medium Density - Pedestrian Focus (C5a, 752, 753) Zone
 -  50, 54 and 56 Barton Street: Add Special Exception Number from Mixed Use Medium Density (C5) Zone to Mixed Use Medium Density (C5, 752, 753) Zone
 -  19 Flamboro Street: Add Special Exception Numbers from Mixed Use Medium Density – Pedestrian Focus (C5a, 304) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 304, 752, 753) Zone
 -  21 Mill St North: Add Special Exception Numbers from Mixed Use Medium Density – Pedestrian Focus (C5a, 695) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 695, 752, 753) Zone

Scale: N.T.S.	File Name/Number: Waterdown Community Node Secondary Plan	 Hamilton
Date: October 29, 2021	Planner/Technician: EB/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



This is Schedule "A6" to By-law No. 22- Passed the day of, 2022	----- Mayor ----- Clerk
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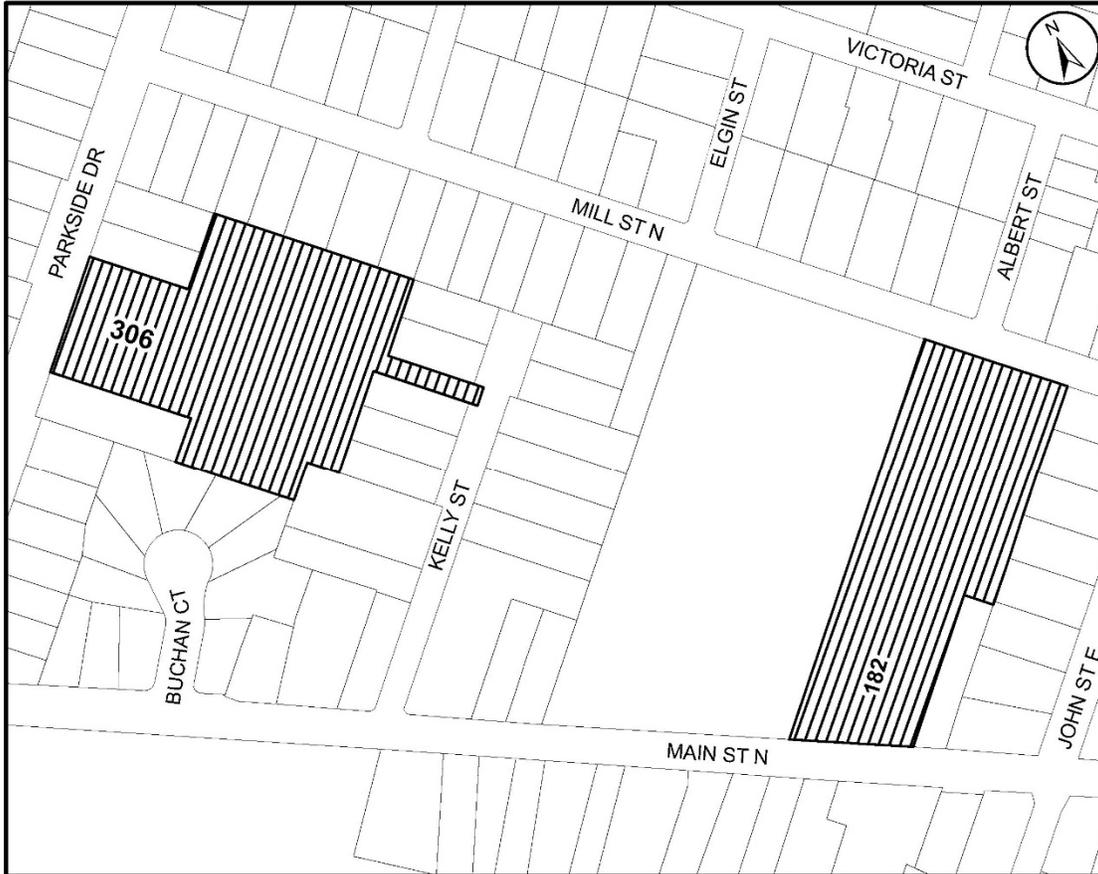
<h2 style="margin: 0;">Schedule "A6"</h2> <p style="margin: 5px 0;">Map forming Part of By-law No. 22-_____</p> <p style="margin: 5px 0;">to Amend By-law No. 05-200 Map 445, 481</p>		<p>Subject Property</p> <p>115 Hamilton Street North</p> <p> Change Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 582, 752, 754, 755) Zone</p>
Scale: N.T.S. Date: October 26, 2021	File Name/Number: Waterdown Community Node Secondary Plan Planner/Technician: EB/NB	 Hamilton
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



<p>This is Schedule "A7" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2 style="margin: 0;">Schedule "A7"</h2> <p style="margin: 5px 0;">Map forming Part of By-law No. 22-_____</p> <p style="margin: 10px 0;">to Amend By-law No. 05-200 Map 445, 446</p>	<p>Subject Property</p> <p>200 Main Street North and 80 Mill Street North</p> <p> Add Special Exception Number from Neighbourhood Institutional (I1) Zone to Neighbourhood Institutional (I1, 756) Zone</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	
<p>Date: October 25, 2021</p>	<p>Planner/Technician: EB/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



This is Schedule "A8" to By-law No. 22-

Passed the day of, 2022

Mayor

Clerk

Schedule "A8"

Map forming Part of
By-law No. 22-_____

to Amend By-law No. 05-200
Map 445, 446

Subject Property
306 Parkside Drive and 182 Main Street North
 Add Special Exception Number from Neighbourhood Institutional (I2) Zone to Neighbourhood Institutional (I2, 757) Zone

Scale: N.T.S.	File Name/Number: Waterdown Community Node Secondary Plan	
Date: October 25, 2021	Planner/Technician: EB/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		Hamilton



<p>This is Schedule "A9" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p>Schedule "A9"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 482</p>	<p>Subject Property</p> <p>29 Mill Street North</p> <p> Lands to be removed from Zoning By-law No. 05-200</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	
<p>Date: November 29, 2021</p>	<p>Planner/Technician: JR/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



This is Schedule "A10" to By-law No. 22- Passed the day of, 2022	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A10"</h2> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 517</p>	<p>Subject Property</p> <p>3 and 4 Howard Boulevard</p> <p> Lands to be added to Zoning By-law No. 05-200 and zoned Mixed Use Medium Density (C5, 752, 754, H122) Zone</p>
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Scale: N.T.S	File Name/Number: Waterdown Community Node Secondary Plan	
Date: January 14, 2022	Planner/Technician: MP/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 8, Planning Committee
Report 22-004 (PED22001)
CM: March 30, 2022
Wards: Ward 15

Bill No. 072

**CITY OF HAMILTON
BY-LAW NO. 22-**

**To Amend Zoning By-law No. 90-145-Z (Flamborough),
Respecting Modifications to the Urban Residential (Single Detached) “R1” and
Core Area Residential “R5” Zones with the Waterdown Node Secondary Plan Area**

WHEREAS the City of Hamilton Act 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December 1992;

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment 165;

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

1. That Map A31 of Schedule “A” – Zoning Maps of Zoning By-law No. 90-145-Z be amended and boundaries of which are shown on a plan hereto annexed as Schedules “A1”, “A2”, “A3”, “A4”, “A5”, “A6”, “A7”, “A8”, “A9”, “A10”, “A11”, “A12”, “A13” and “A14” to this By-law, as follows:
 - 1.1 Change in zoning from the Urban Residential (Single Detached) “R1” Zone to the Core Area Residential “R5” Zone for the lands municipally known as 54, 60, 68, 70, 74, 80 and 84 Flamboro Street, 44, 50, 56, 57, 65, 71, 77, 85, 89, 103, 115, 125, 129, 133 and 143 Main Street North, 1 Cedar Street, 94, 108, 116, 122 and 130 Mill Street North, 47, 49 and 51 Church Street, 6, 14,

16, 18, 21, 22, 25, 27, 37, 44 and 50 Victoria Street and illustrated on
Schedule "A1";

- 1.2 Change in zoning from the Core Area Residential "R5" Zone to the Urban Residential (Single Detached) "R1-74" Zone for the lands municipally known as 215, 221, 225, 231, 234, 235, 238 and 243 Main Street North, and illustrated on Schedule "A2";
- 1.3 By establishing a new special exception Urban Residential (Single detached) "R1-74" Zone for the lands municipally known as 155, 165, 173, 185, 189, 195, 201 and 207 Main Street North, 7 Queen Street, 57, 65, 73, 90, 94, 100, 101, 105, 111, 115, 145, 153, 157, 179, 185, 190 and 191 Victoria Street, 1, 2, 5, 12, 15, 18, 21, 22, 23, 25, 28, 31 and 36 Raglan Street, 21 Albert Street, 7, 10, 14, 15, 20, 21, 22, 25, 28, 31, 33, 35, 42, 54, 57, 60, 61, 64, 69, 71 and 73 Nelson Street, 3, 10, 15, 19, 30, 34, 38, 44, 48, 52, 82, 84, 88, 100, 110, 114, 120 and 124 Elgin Street, 23, 27, 38, 42 and 52 Wellington Street, 134, 136, 174, 184, and 188 Mill Street South, 154, 160, 168, 174, 182, 188, 198, 200, 228, 234, 240, 246, 250, 262, 270, 276 and 286 Mill Street North and 322, 324 and 328 Parkside Drive, and illustrated on Schedule "A3" and Schedule "A14";
- 1.4 Change in zoning from the Urban Residential (Single Detached) "R1-1" Zone to the Urban Residential (Single detached) "R1-74a" Zone (16, 20, 24, 28 Albert Street, Schedule "A4");
- 1.5 Change in zoning from the Urban Residential (Single Detached) "R1-2" Zone to the Urban Residential (Single detached) "R1-74b" Zone (21, 25, 29, 30, 36, 37, 40, 43, 44, 48, 49, 52 and 55 Kelly Street, 252, 258, 266, 312, 314, 316 and 320 Main Street North, 2, 4, 6, 8, 10, 12, 14 and 16 Buchan Court, 217, 221, 227, 233, 239, 245, 249, 255, 261, 267, 273, 275, 281 and 289 Mill Street North, 292, 294, 296, 298, 300, 302, 304, 310, 312 and 316 Parkside Drive, Schedule "A5");
- 1.6 Change in zoning from the Urban Residential (Single Detached) "R1-3" Zone to the Urban Residential (Single detached) "R1-74c" Zone (89 and 103 Elgin Street, 6, 7, 9, 10, 22, 25 and 26 Churchill Avenue, 87 Wellington Street and 348 and 352 Parkside Drive, Schedules "A6" and "A7");
- 1.7 Change in zoning from the Urban Residential (Single Detached) "R1-3" Zone to the Urban Residential (Single detached) "R1-74" Zone (4, 6, 8, 10, 12 and 14 Margaret Street, Schedule "A7");
- 1.8 Change in zoning from the Urban Residential (Single Detached) "R1-3" Zone to the Core Area Residential "R5-3" Zone (1 and 3 First Street and 365, 367 and 371 Dundas Street East, Schedule "A7");

- 1.9 Change in zoning from the Urban Residential (Single Detached) "R1-5" Zone to the Urban Residential (Single detached) "R1-74d" Zone (150 and 198 Victoria Street, 57, 65, 79, 85, 109, 115, 121, 127 and 133 Elgin Street, 37, 47, 56, 57, 65, 66, 73, 74, 79, 82, 107, 108, 113, 115, 116, 124, 129, 132, 135 and 140 Wellington Street, and 338, 340, 342, 346, 354, 356, 358, 360 and 362 Parkside Drive, Schedule "A8");
 - 1.10 Change in zoning from the Urban Residential (Single Detached) "R1-6" Zone to the Urban Residential (Single detached) "R1-74e" Zone (18, 22 and 24 School Street and 145, 155, 165, 191, 195, 201, 235 and 231 Main Street South, Schedule "A9");
 - 1.11 Change in zoning from the Urban Residential (Single Detached) "R1-13" Zone to the Core Area Residential "R5" Zone for the lands municipally known as 49 Main Street North (See Schedule "A10");
 - 1.12 Change in zoning from the Urban Residential (Single Detached) "R1-26" Zone to the Urban Residential (Single Detached) "R1-74f" Zone for the lands municipally known as 24 and 47 Elgin Street and 140 Victoria Street (See Schedule "A11");
 - 1.13 Change in zoning from the Urban Residential (Single Detached) "R1-61" Zone to the Urban Residential (Single Detached) "R1-74g" Zone for the lands municipally known as 99 Wellington Street and 21 Churchill Street (See Schedule "A12");
 - 1.14 Change in zoning from the Urban Residential (Single Detached) "R1" Zone to Urban Residential (Single Detached) "R1-74h" Zone for the lands municipally known 28, 42 and 52 Wellington Street and 190 Victoria Street. (See Schedule "A3");
 - 1.15 That R1-13 be deleted from zoning map number A31;
 - 1.16 Change in zoning from the Business District "BD-1" Zone to the Core Area Residential "R5" Zone for the lands municipally known as 24 Griffin Street. (See Schedule "A13");
 - 1.17 By adding to the Town of Flamborough Zoning By-law No. 90-145-Z and establishing a Core Area Residential "R5" Zone for the lands municipally known as 29 Mill Street North and illustrated on Schedule "A1";
2. That the Urban Residential (Single Detached) "R1-74" Zone be established and include the following special provisions:

"6.3.74 R1-74

- a) Notwithstanding Sections 2.3.1 and 2.3.2 of By-law No. 90-145-Z, the following shall apply and be numbered accordingly:
- i) Notwithstanding any other provisions of this By-law, any lot within the R1-74, R1-74a, R1-74b, R1-74c, R1-74d, R1-74e, R1-74f, R1-74g or R1-74h Zone of this By-law, and the location thereon of any building or structure, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, exterior yard, rear yard, lot width, lot area, building height, legally established flat roofs, legally established balconies, rooftop terraces and decks above the first storey and legally established U-shaped driveway alignment and are permitted by this By-law;
 - ii) Notwithstanding any other provisions of this By-law, within an R1-74, R1-74a, R1-74b, R1-74c, R1-74d, R1-74e, R1-74f, R1-74g or R1-74h Zone, a building permit may be issued to permit the erection of a building or structure in accordance with any minor variance, site specific zoning, site plan, consent, plan of subdivision or plan of condominium that has been conditionally approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law No. ___ was passed by Council, provided the Building Permit application complies with the provisions of Zoning By-law No. 90-145-Z, as amended, that affected the lot before By-law No. ___ came into effect. For the purposes of determining zoning conformity, the following shall apply:
 - 1) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Subsection ii) above; and,
 - 2) Once the permit or approval under Subsection ii) above, has been granted, the provisions of this By-law apply in all other respects to the land in question.
- b) For the purposes of this zone the following definitions shall apply:
- Dormer** shall mean a roof structure, which may contain a window, which projects vertically and horizontally beyond the plane of a pitched roof;
- Dwelling Depth** shall mean the depth of a dwelling measured from the outside of the front wall to the outside of the rear wall inclusive of an attached garage, but exclusive of any unenclosed porches, decks or structures;

Pitch, Roof shall mean a roof with a slope of greater than 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizontal area;

Flat, Roof shall mean a roof with a slope less than or equal to 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizontal area;

- c) Notwithstanding Section 5.2.4, the aggregate Gross Floor Area of all accessory buildings or structures on a lot, except for swimming pools, shall not exceed 55 square metres or 7.5% of the lot area, whichever is lesser;
- d) Notwithstanding Section 5.2.2 and 5.2.4, one accessory building or structure that is less than or equal to 10 square metres and less than or equal to 2.5 metres in height, shall not contribute to the total Lot Coverage or Gross Floor Area;
- e) Notwithstanding Section 5.21.5(a) only 1 curb cut is permitted to provide access to a residential lot, to a maximum width of 6 metres;
- f) In addition to the permitted uses in Section 6.1, a Duplex Dwelling shall also be permitted;
- g) Sections 6.2 (a), (b), (c), (e), (g), and (h) shall be deleted and replaced with the following:
 - (i) Lot Area (minimum);
 - (a) Single Detached Dwelling – 665 square metres; and,
 - (b) Duplex Dwelling – 665 square metres;
 - (ii) Lot Frontage (minimum);
 - (a) Single Detached Dwelling – 18 metres; and,
 - (b) Duplex Dwelling – 18 metres;
 - (iii) Height (maximum);
 - (a) Dwellings with fewer than two storeys – 6.5 metres; and,
 - (b) Dwellings that are two or more storeys – 8.5 metres;

(iv)

Required Front Yard (minimum and maximum)		
a.	For a Lot located between two Interior lots or one Interior lot and one Corner Lot that has the adjacent dwellings facing the same street.	Within 20% of the average front yard setback of the two nearest principal dwellings on either side of the lot.*
b.	For a Lot located between an Interior lot or a Corner Lot that has one adjacent dwelling facing another street.	Within 20% of the average front yard setback of the one nearest principal dwelling of the interior lot. *
c.	For a Corner Lot that has one adjacent dwelling facing the same street.	Within 20% of the average front yard setback of the one nearest principal dwelling facing the same street. *
d.	Other cases not described in this table.	5.0 -10.0 metres
* In no cases shall the front yard setback be less than 5.0 metres.		

(v) Interior Side Yard (minimum);

- (a) 1.2 metres for a principal dwelling that is less than or equal to 6.5 metres and is fewer than two storeys in Height; and,
- (b) 1.8 metres for a principal dwelling that is less than or equal to 8.5 metres and is two or more storeys in Height;

(vi) Exterior Side Yard (minimum);

- (a) Within 20% of the front yard setback of the nearest principal dwelling facing the same street as the Exterior Side Yard; and,
- (b) In no cases shall the Exterior Side Yard setback be greater than 7.5 metres;

h) In addition to Section 5.6(c), the following shall apply and be numbered accordingly:

- (i) Within any required Front Yard or required Exterior Side Yard where the principle dwelling faces the Exterior Side Lot Line, a visual barrier, excluding vegetation, shall not be greater than 0.9 metres in height;

i) In addition to the regulations in Section 6.2, the following shall also apply and be numbered accordingly:

- (i) Dwelling Depth (maximum) – 20 metres;

(ii) Driveways – A maximum of one driveway that is perpendicular to a public right of way shall be permitted. U-Shaped or T-shaped driveways shall be prohibited in front and exterior side yards; and,

(iii) Garage and Carport Requirements

a) Attached and detached garages and Carports shall not project beyond the front façade of a dwelling or a side façade of a dwelling situated on a Corner Lot; and,

b) Minimum Setback from Front or Exterior Side Façade of a Dwelling for attached and detached garages and Carports:

Setback	Garage / Carport Width
0 metres	0 – 3 metres
2 metres	3.1 – 4.5 metres
4 metres	4.6 – 7 metres
6 metres	7.1 – 8 metres

c) The maximum width of any attached or detached garage shall be 8 metres;

d) Attached garages greater than 5 metres in width shall require a division to establish two doors;

e) Attached garages shall not occupy greater than 50% of the linear frontage of a Dwelling facing a Front Lot Line or Exterior Side Lot Line;

f) Flat roofs and shed roofs shall be permitted for the portion of the garage or Carport that is less than 6.5 metres in Height;

g) Notwithstanding 6.3.74 i) (iii) d), if a garage door faces a rear yard, division requirements do not apply.

(iv) Flat roofs shall not be permitted on any portion of the principle dwelling that is visible from a public street;

(v) Dormers are permitted to occupy a maximum of 75% of each horizontal roof length on each side of a roof;

(vi) Balconies, roof top terraces or decks shall be prohibited above the first floor;

- (vii) Exterior Insultation and Finish System (EIFS) is not permitted;
- (viii) No more than two of the following materials: brick, stone, historic stucco, and wood or wood composite siding shall be permitted on the exterior building cladding of the front façade of dwellings and the exterior side façade of dwellings on Corner Lots, except for decorative building elements (such as window and door frames, sills, lintels, surrounds and cornices), unless otherwise approved through a heritage permit;
- (ix) Notwithstanding any other provision of this by-law, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Zoning By-law;
- (x) Duplex Dwelling provisions:
 - (a) Parking shall be provided in accordance with Section 5.21 of this By-law;
 - (b) Notwithstanding Section 5.21.5(a) only 1 curb cut is permitted to provide access to a Duplex Dwelling, to a maximum width of 6 metres;
 - (c) Notwithstanding 6.3.74 i)(x)(b) for a Corner Lot, a maximum of one driveway shall be permitted from each street frontage, to a maximum width of 3 metres per driveway; and,
 - (d) Any separate entrance to a Duplex Dwelling shall be oriented toward the Side Lot Line or Rear Lot Line, or in the case of a Corner Lot, the street frontage where the principal entrance is not located.

2.1 That the Urban Residential (Single Detached) "R1-74a" Zone shall be established and include the following special provisions:

"6.3.75 R1-74a

Permitted Uses

- (a) Subsection 6.1 shall apply;

Zoning Provisions

- (a) The provisions outlined in Subsection 6.3.74 shall apply;
- (b) Notwithstanding Subsections 6.3.74g)(i), 6.3.74g)(ii) and 6.2(d), the following requirements shall apply:

- i) Lot Area (minimum).....366 square metres;
- ii) Lot Frontage (minimum).....12 metres; and,
- iii) Lot Coverage (maximum)..... 40%."

2.2 That the Urban Residential (Single Detached) "R1-74b" Zone shall be established and include the following special provisions:

"6.3.76 R1-74b

Permitted Uses

- (a) Subsection 6.1 shall apply.

Zoning Provisions

- (a) The provisions outlined in Subsection 6.3.74 shall apply.
- (b) Notwithstanding Subsections 6.3.74g)(i), 6.3.74g)(ii) and 6.2(d), the following requirements shall apply:
 - i) Lot Area (minimum).....495 square metres;
 - ii) Lot Frontage (minimum)15 metres; and,
 - iii) Lot Coverage (maximum).....30%."

2.3 That the Urban Residential (Single Detached) "R1-74c" Zone shall be established and include the following special provisions:

"6.3.77 R1-74c

Permitted Uses

- (a) Subsection 6.1 shall apply;

Zoning Provisions

- (a) The provisions outlined in Subsection 6.3.74 shall apply;
- (b) Notwithstanding Subsections 6.3.74g)(i), 6.3.74g)(ii) and 6.3.74g)(iii), the following requirements shall apply:

- i) Lot Area (minimum).....650 square metres;
- ii) Lot Frontage (minimum).....21 metres;
- iii) Height (maximum)6.5 metres."

2.4 That the Urban Residential (Single Detached) "R1-74d" Zone shall be established and include the following special provisions:

"6.3.78 R1-74d

Permitted Uses

- (a) Subsection 6.1 shall apply.

Zoning Provisions

- (a) The provisions outlined in Subsection 6.3.74 shall apply.
- (b) Notwithstanding Subsections 6.3.74g)(i), 6.3.74g)(ii) and 6.3.74g)(iii), the following requirements shall apply:
 - i) Lot Area (minimum).....975 square metres;
 - ii) Lot Frontage (minimum).....22 metres; and,
 - iii) Height (maximum).....6.5 metres."

2.5 That the Urban Residential (Single Detached) "R1-74e" Zone shall be established and include the following special provisions:

"6.3.79 R1-74e

Permitted Uses

- (a) Subsection 6.1 shall apply;

Zoning Provisions

- (a) The provisions outlined in Subsection 6.3.74 shall apply;
- (b) Notwithstanding Subsections 6.3.74g)(i), 6.3.74g)(ii), 6.3.74g)(iii), 6.2(d) and 6.3.74g)(v) the following requirements shall apply:
 - i) Lot Area (minimum).....1390 square metres;

- ii) Lot Frontage (minimum).....30 metres;
- iii) Height (maximum).....8.2 metres;
- iv) Lot Coverage (maximum).....15%;
- v) Interior Side Yard (minimum).....3 metres; and
- vi) Floor Space (maximum) shall be:
 - a) 1 storey – 186 square metres;
 - b) 1.5 storeys – 186 square metres; and,
 - c) 2 storeys – 372 square metres;
- (c) Notwithstanding Subsection 6.3.74i)(iii)(a) and 6.3.74i)(iii)(b), attached garages, detached garages and carports shall be permitted to project beyond the front façade of a dwelling or the exterior side façade of a dwelling situated on a Corner Lot; and,
- (d) Notwithstanding Subsection 6.3.74i)(vi), balconies and rooftop terraces are permitted on a façade not facing a public road."

2.6 That the Urban Residential (Single Detached) "R1-74f" Zone shall be established and include the following special provisions:

"6.3.80 R1-74f

Permitted Uses

- (a) Subsection 6.1 shall apply.

Zoning Provisions

- (a) The provisions outlined in Subsection 6.3.74 shall apply;
- (b) Notwithstanding Subsections 6.3.74.g)(i), 6.3.74g)(iii) and 6.2(d) the following requirements shall apply:
 - i) Lot Area (minimum).....700 square metres;
 - ii) Height (maximum).....6.5 metres; and
 - iii) Lot Coverage (maximum).....30%."

2.7 That the Urban Residential (Single Detached) "R1-74g" Zone shall be established and include the following special provisions:

"6.3.81 R1-74g

Permitted Uses

(a) Subsection 6.1 shall apply.

Zoning Provisions

(a) The provisions outlined in Subsection 6.3.74 shall apply; and,

(b) Notwithstanding Subsections 6.3.74.g)(i), 6.2(d), 6.3.74.g)(iii), 6.3.74g)(v) and 6.3.74g)(vi) the following requirements shall apply:

- i) Lot Area (minimum)..... 485 square metres;
- ii) Lot Coverage (maximum).....31%;
- iii) Height (maximum).....6.5 metres;
- iv) Interior Side Yard (minimum).....0.6 metres; and,
- v) Exterior Side Yard (minimum).....3.6 metres."

2.8 That the Urban Residential (Single Detached) "R1-74h" Zone shall be established and include the following special provisions:

"6.3.82 R1-74h

Permitted Uses

(a) Subsection 6.1 shall apply.

Zoning Provisions

(a) The provisions outlined in Subsection 6.3.74 shall apply; and,

(b) Notwithstanding Subsection 6.3.74g)(iii), the following requirement shall apply:

- i) Height (maximum).....6.5 metres."

2.9 That Exceptions R1-13, R1-26 and R1-61 be deleted in their entirety;

3. That SECTION 10: CORE AREA RESIDENTIAL "R5" ZONE is amended as follows:

3.1 Notwithstanding Sections 2.3.1 and 2.3.2 of By-law No. 90-145-Z the following shall apply and be numbered accordingly:

- i) Notwithstanding any other provisions of this By-law, any lot within the R5, R5-2, or R5-3 Zones of this By-law, and the location thereon of any building or structure, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, exterior yard, rear yard, lot width, lot area, building height, legally established flat roofs, legally established balconies, rooftop terraces and decks above the first storey and legally established U-shaped driveway alignment and are permitted by this By-law;
- ii) Notwithstanding any other provisions of this By-law, within an R5, R5-2 or R5-3 Zone, a building permit may be issued to permit the erection of a building or structure in accordance with any minor variance, site specific zoning, site plan, consent, plan of subdivision or plan of condominium that has been conditionally approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law No. ___ was passed by Council, provided the Building Permit Application complies with the provisions of Zoning By-law No. 90-145-Z, as amended, that affected the lot before By-law No. ___ came into effect. For the purposes of determining zoning conformity, the following shall apply:
 - 1) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Subsection ii) above; and,
 - 2) Once the permit or approval under Subsection ii) above, has been granted, the provisions of this By-law apply in all other respects to the land in question.

3.2 For the purposes of this zone the following definitions shall apply:

Dormer shall mean a roof structure, which may contain a window, which projects vertically and horizontally beyond the plane of a pitched roof;

Dwelling Depth shall mean the depth of a dwelling measured from the outside of the front wall to the outside of the rear wall inclusive of an attached garage, but exclusive of any porches, decks or structures;

Pitch, Roof shall mean a roof with a slope of greater than 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizontal area; and,

Flat, Roof shall mean a roof with a slope less than 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizontal area.

- 3.3 Notwithstanding Section 5.2.4, the aggregate Gross Floor Area of all accessory buildings or structures on a lot, except for swimming pools, shall not exceed 55 square metres or 7.5% of the lot area, whichever is lesser;
- 3.4 Notwithstanding Section 5.2.2 and 5.2.4, one accessory building or structure that is less than or equal to 10 square metres and less than or equal to 2.5 metres in height, shall not contribute to the total Lot Coverage or Gross Floor Area;
- 3.5 Notwithstanding Section 5.21.5(a) only 1 curb cut is permitted to provide access to a residential lot, to a maximum width of 6 metres;
- 3.6 Section 10.1 shall be deleted and replaced with the following:
- (a) Permitted Uses:
- (i) Single Detached Dwelling;
 - (ii) Semi-Detached Dwelling;
 - (iii) Duplex Dwelling;
 - (iv) Triplex Dwelling;
 - (v) Urban Farm; and,
 - (vi) Community Garden.
- 3.7 Section 10.2(a) shall be deleted and replaced with the following:
- (a) Lot Area (minimum):
- (i) Single Detached Dwelling.....510 square metres;
 - (ii) Semi-Detached Dwelling.....330 square metres per dwelling unit;
 - (iii) Duplex Dwelling.....510 square metres; and,
 - (iv) Triplex Dwelling.....710 square metres.
- 3.8 Section 10.2(b) shall be deleted and replaced with the following:
- (a) Lot Frontage (minimum)
- (i) Single Detached Dwelling15 metres;
 - (ii) Semi-Detached Dwelling9 metres per dwelling unit;
 - (iii) Duplex Dwelling.....15 metres; and,
 - (iv) Triplex Dwelling.....21 metres.
- 3.9 Section 10.2(c) shall be deleted and replaced with the following:
- (a) Height (maximum)
- (i) Dwelling with fewer than two storeys.....6.5 metres; and,

- (ii) Dwellings that are two or more storeys.....8.5 metres.

3.10 Section 10.2(d) shall be deleted and replaced with the following:

Lot Coverage (maximum)		
i.	Dwelling greater than 6.5 metres in Height	25%
ii.	Dwelling less than or equal to 6.5 metres in Height	35%

3.11 Section 10.2(e) shall be deleted and replaced with the following:

Required Front Yard (minimum and maximum)		
i.	For a Lot located between two Interior lots or one Interior lot and one Corner Lot that has the adjacent dwellings facing the same street.	Within 20% of the average front yard setback of the two nearest principal dwellings on either side of the lot.*
ii.	For a Lot located between an Interior lot or a Corner Lot that has one adjacent dwelling facing another street.	Within 20% of the average front yard setback of the one nearest principal dwelling of the interior lot. *
iii.	For a Corner Lot that has one adjacent dwelling facing the same street.	Within 20% of the average front yard setback of the one nearest principal dwelling facing the same street. *
iv.	Other cases not described in this table.	5.0 -10.0 metres
* In no cases shall the front yard setback be less than 5.0 metres.		

3.12 Section 10.2 (g) shall be deleted and replaced with the following:

- (g) Interior Side Yard (minimum):
 - (a) 1.2 metres for a principal dwelling that is less than or equal to 6.5 metres and is fewer than two storeys in Height; and,
 - (b) 1.8 metres for a principal dwelling that is less than or equal to 8.5 metres and is two or more storeys in Height.

3.13 Section 10.2(h) shall be deleted and replaced with the following:

- (h) Exterior Side Yard (minimum)
 - (a) Within 20% of the front yard setback of the nearest principal dwelling facing the same street as the Exterior Side Yard; and,

- (b) In no cases shall the Exterior Side Yard setback be greater than 7.5 metres.

3.14 Section 10.2(j) shall be deleted;

3.15 In addition to the zone provisions in Section 10.2 the following shall also apply and be numbered accordingly:

- (j) Dwelling Depth (maximum).....20 metres;
- (l) In addition to Section 5.6(c), the following shall apply:
 - (i) Within any required Front Yard or required Exterior Side Yard where the principle dwelling faces the Exterior Side Lot Line, a visual barrier, excluding vegetation, shall not be greater than 0.9 metres in height;
- (m) Driveways – A maximum of one driveway that is perpendicular to a public right of way shall be permitted. U-Shaped or T-shaped driveways are not permitted in front and exterior side yards;
- (n) Garage and Carport Requirements
 - (i) Attached and detached garages and Carports shall not project beyond the front façade of a dwelling or a side façade of a dwelling situated on a Corner Lot;
 - (ii) Minimum Setback from Front or Exterior Side Façade of a Dwelling for attached and detached garages and Carports:

Setback	Garage / Carport Width
0 metres	0 – 3 metres
2 metres	3.1 – 4.5 metres
4 metres	4.6 – 7 metres
6 metres	7.1 – 8 metres

- (iii) The maximum width of any attached or detached garage shall be 8 metres;
- (iv) Attached garages greater than 5 metres in width shall require a division to establish two doors;
- (v) Attached and detached garages shall not occupy greater than 50% of the linear frontage of a Dwelling facing a Front Lot Line or Exterior Side Lot Line;

- (vi) Flat roofs and shed roofs shall be permitted for the portion of the garage or Carport that is less than 6.5 metres in Height; and,
- (vii) Notwithstanding 10.2(n)(iv), if a garage door faces a rear yard, division requirements do not apply.
- (o) Flat roofs shall not be permitted on any portion of the principal dwelling that is visible from a public street;
- (p) Dormers are permitted to occupy a maximum of 75% of each horizontal roof length on each side of a roof;
- (q) Notwithstanding Section 5.30, balconies, roof top terraces or decks shall be prohibited above the first floor;
- (r) Exterior Insulation and Finish System (EIFS) is not permitted;
- (s) No more than two of the following materials: brick, stone, historic stucco, and wood or wood composite siding shall be permitted on the exterior building cladding of the front façade and exterior side façade on Corner Lots, except for decorative building elements (such as window and door frames, sills, lintels, surrounds and cornices), unless otherwise approved through a heritage permit;
- (t) Notwithstanding any other provision of this by-law, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Zoning By-law;
- (u) Duplex Dwelling and Triplex Dwelling provisions:
 - (i) Parking shall be provided in accordance with Section 5.21 of this By-law;
 - (ii) Notwithstanding Section 5.21.5(a) only 1 curb cut is permitted to provide access to a Duplex or Triplex Dwelling, to a maximum width of 6 metres;
 - (iii) Notwithstanding 10.2(u)(ii), for a Duplex Dwelling located on a Corner Lot, a maximum of one driveway shall be permitted from each street frontage, to a maximum width of 3 metres per driveway;
 - (iv) Notwithstanding 10.2(u)(ii), for a Triplex Dwelling located on a Corner Lot, a maximum of one driveway shall be permitted from each street frontage, to a maximum width of 6 metres for one driveway and a maximum width of 3 metres for the other driveway; and,
 - (v) Any separate entrance(s) to a Duplex Dwelling or Triplex Dwelling shall be oriented toward the Side Lot Line or Rear Lot Line, or in the

case of a Corner Lot, the street frontage where the principal entrance is not located."

3.16 That the Core Area Residential "R5-3" Zone shall be established and include the following special provisions, and shall be numbered accordingly:

"10.3.4 R5-3

Permitted Uses

(a) Subsection 10.1 shall apply;

Zoning Provisions

(a) The provisions outlined in Subsection 10.2 shall apply;

(b) Notwithstanding the lot area and lot frontage requirements in Subsection 10.2 (a) and (b), the following requirements shall apply:

- i) Lot Area (minimum).....650 square metres; and,
- ii) Lot Frontage (minimum).....21 metres."

4. That the amending By-law be added to Schedule "A31" of Flamborough Zoning By-law No. 90-145-Z;

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

6. That this By-law comes into force in accordance with section 34 of the Planning Act.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A1"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A1" to the By-law No. 22- Passed the day of, 2022</p>	<p>----- Mayor -----</p> <p>----- Clerk -----</p>		
	<p>Lands Affected</p> <p>54, 60, 68, 70, 74, 80 and 84 Flamboro Street, 44, 50, 56, 57, 65, 71, 77, 85, 89, 103, 115, 125, 129, 133 and 143 Main Street North, 94, 108, 116, 122 and 130 Mill Street North, 47, 49 and 51 Church Street, 6, 14, 16, 18, 21, 22, 25, 27, 37, and 50 Victoria Street, and 1 Cedar Street</p>	<p> Change in zoning from the Urban Residential (Single Detached) "R1" Zone to the Core Area Residential "R5" Zone</p> <p>29 Mill Street North</p> <p> Lands to be added to the Core Area Residential "R5" Zone in the Former Town of Flamborough Zoning By-law No. 90-145-Z</p>	<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>
	<p> Change in zoning from the Urban Residential (Single Detached) "R1" Zone to the Core Area Residential "R5" Zone</p> <p>29 Mill Street North</p> <p> Lands to be added to the Core Area Residential "R5" Zone in the Former Town of Flamborough Zoning By-law No. 90-145-Z</p>		<p>Date: December 20, 2021</p>	<p>Planner/Technician: JR/NB</p>
		<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



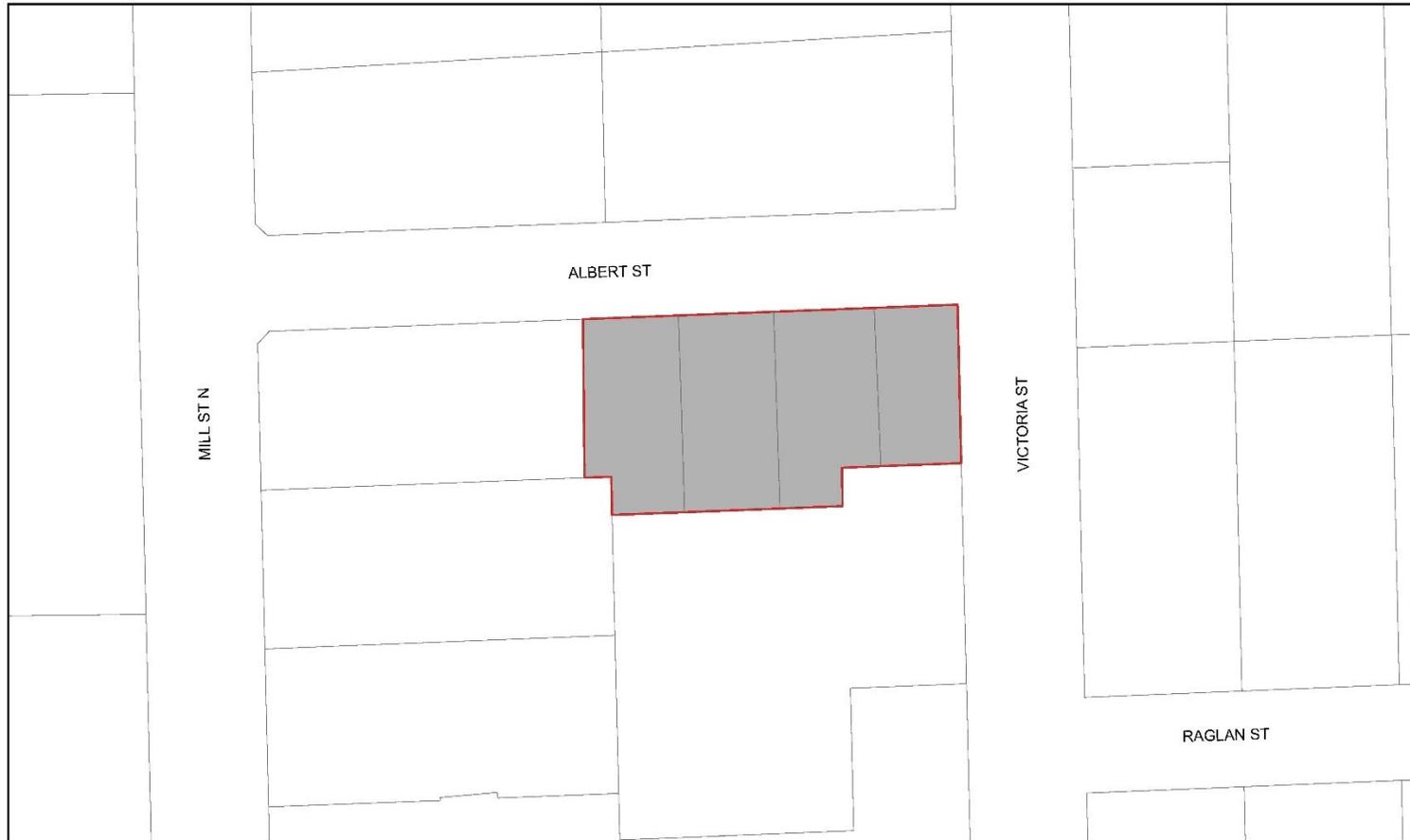
<p>Schedule "A2"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A2" to the By-law No. 22- Passed the day of, 2022</p>		<p>----- Mayor -----</p>		
	<p>Lands Affected 215, 221, 225, 231, 234, 235, 238 and 243 Main Street North</p>		<p>----- Clerk -----</p>		
	<p> Change in zoning from the Core Area Residential "R5" Zone to the Urban Residential (Single Detached) "R1-74" Zone</p>		<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	 Hamilton
			<p>Date: December 16, 2021</p>	<p>Planner/Technician: JR/NB</p>	
		PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A3"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A3" to the By-law No. 22- Passed the day of, 2022</p>	<p>----- Mayor -----</p> <p>----- Clerk -----</p>	
	<p>Lands Affected 155, 165, 175, 185, 195, 201 and 207 Main Street North, 7 Queen Street, 21, 25, 27, 37, 57, 65, 73, 90, 94, 100, 101, 105, 111, 115, 145, 153, 157, 179, 185, and 191 Victoria Street, 1, 2, 5, 12, 15, 18, 21, 22, 23, 25, 28, 31 and 36 Raglan Street, 21 Albert Street, 7, 10, 14, 15, 20, 21, 22, 25, 28, 31, 33, 35, 42, 54, 57, 60, 61, 64, 69, 71 and 73 Nelson Street, 3, 10, 15, and 19 Elgin Street, 23 and 27 Wellington Street, 154, 160, 168, 174, 182, 188, 198, 200, 228, 234, 240, 246, 250, 262, 270, 276 and 286 Mill Street and 322, 324 and 328 Parkside Drive</p> <p> Change in zoning from the Urban Residential (Single Detached) "R1" Zone to the Urban Residential (Single Detached) "R1-74" Zone</p> <p>38, 42 and 52 Wellington Street and 190 Victoria Street</p> <p> Change in zoning from the Urban Residential (Single Detached) "R1" Zone to the Urban Residential (Single Detached) "R1-74h" Zone</p>	<p>Scale: N.T.S</p> <p>Date: December 10, 2021</p> <p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p> <p>Planner/Technician: JR/NB</p>

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A4"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A4" to the By-law No. 22- Passed the day of, 2022</p>	<p>----- Mayor -----</p> <p>----- Clerk -----</p>		
	<p>Lands Affected 16, 20, 24 and 28 Albert Street</p>		<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>
	<p> Change in zoning from the Urban Residential (Single Detached) "R1-1" Zone to the Urban Residential (Single detached) "R1-74a" Zone</p>		<p>Date: December 10, 2021</p>	<p>Planner/Technician: JR/NB</p>
	<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>			

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A5"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A5" to the By-law No. 22- Passed the day of, 2022</p>	<p>----- Mayor -----</p> <p>----- Clerk -----</p>	
	<p>Lands Affected</p> <p>21, 25, 29, 30, 36, 37, 40, 43, 44, 48, 49, 52 and 55 Kelly Street, 252, 258, 266, 312, 314, 316 and 320 Main Street North, 2, 4, 6, 8, 10, 12, 14 and 16 Buchan Court, 217, 221, 227, 233, 239, 245, 249, 255, 261, 267, 273, 275, 281 and 289 Mill Street North, 292, 294, 296, 298, 300, 302, 304, 310, 312 and 316 Parkside Drive</p>	<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>
	<p> Change in zoning from the Urban Residential (Single Detached) "R1-2" Zone to the Urban Residential (Single detached) "R1-74b" Zone</p>	<p>Date: December 10, 2021</p>	<p>Planner/Technician: JR/NB</p>
	<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A6"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A6" to the By-law No. 22- Passed the day of, 2022</p>	----- Mayor -----		
	<p>Lands Affected</p> <p>89 and 103 Elgin Street, 6, 7, 9, 10, 22, 25 and 26 Churchill Avenue, 87, 90 and 100 Wellington Street and 348 and 352 Parkside Drive</p>	----- Clerk -----		
	<p> Change in zoning from the Urban Residential (Single Detached) "R1-3" Zone to the Urban Residential (Single detached) "R1-74c" Zone</p>	<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	 Hamilton
		<p>Date: December 16, 2021</p>	<p>Planner/Technician: JR/NB</p>	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT				

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A7"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A7" to the By-law No. 22- Passed the day of, 2022</p>		<p>----- Mayor -----</p> <p>----- Clerk -----</p>	
	<p>Lands Affected 1 and 3 First Street, 365, 367 and 371 Dundas Street East, 4, 6, 8, 10, 12, and 14 Margaret Street</p>		<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>
		<p>Change in zoning from the Urban Residential (Single Detached) "R1-3" Zone to the Core Urban Residential "R5-3" Zone</p>	<p>Date: February 11, 2022</p>	<p>Planner/Technician: JR/NB</p>
		<p>Change in zoning from the Urban Residential (Single Detached) "R1-3" Zone to the Urban Residential (Single Detached) "R1-74" Zone</p>	<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	



To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A8"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A8" to the By-law No. 22- Passed the day of, 2022</p>		<p>----- Mayor</p>	
	<p>Lands Affected 150 and 198 Victoria Street, 57, 65, 79, 85, 109, 115, 121, 127 and 133 Elgin Street, 37, 47, 56, 57, 65, 66, 73, 74, 79, 82, 107, 108, 113, 115, 116, 124, 129, 132, 135 and 140 Wellington Street, and 338, 340, 342, 346, 354, 356, 358, 380 and 362 Parkside Drive</p>		<p>----- Clerk</p>	
	<p> Change in zoning from the Urban Residential (Single Detached) "R1-5" Zone to the Urban Residential (Single detached) "R1-74d" Zone</p>		<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>
			<p>Date: December 10, 2021</p>	<p>Planner/Technician: JR/NB</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>				

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A9"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A9" to the By-law No. 22- Passed the day of, 2022</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>		
	<p>Lands Affected 18, 22 and 24 School Street and 145, 155, 165, 191, 195, 201, 235 and 231 Main Street South</p>	<p> Change in zoning from the Urban Residential (Single Detached) "R1-6" Zone to the Urban Residential (Single detached) "R1-74e" Zone</p>	<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>
	<p>Date: December 10, 2021</p>		<p>Planner/Technician: JR/NB</p>	
	<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		<p>Hamilton</p>	

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A10"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A10" to the By-law No. 22- Passed the day of, 2022</p>	<p>----- Mayor -----</p> <p>----- Clerk -----</p>		
	<p>Lands Affected 49 Main Street North</p> <p> Change in zoning from the Urban Residential (Single Detached) "R1-13" Zone to the Core Area Residential "R5" Zone</p>	<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	 Hamilton
		<p>Date: December 14, 2021</p>	<p>Planner/Technician: JR/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>				

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A11"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A11" to the By-law No. 22- Passed the day of, 2022</p>		<p>----- Mayor -----</p>		
	<p>Lands Affected 24 and 47 Elgin Street, 140 Victoria Street, (By-law 01-083)</p>		<p>----- Clerk -----</p>		
	<p> Change in Zoning from the Urban Residential (Single Detached) "R1-26" Zone to the Urban Residential (Single Detached) "R1-74F" Zone.</p>		<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	 Hamilton
			<p>Date: December 10, 2021</p>	<p>Planner/Technician: JR/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>					

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A12"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A12" to the By-law No. 22- Passed the day of, 2022</p>		<p>----- Mayor -----</p>		
	<p>Lands Affected 99 Wellington Street and 21 Churchill Street and (By-law 13-174)</p>		<p>----- Clerk -----</p>		
	<p> Change in Zoning from the Urban Residential (Single Detached) "R1-61" Zone to the Urban Residential (Single Detached) "R1-74g" Zone</p>		<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	 Hamilton
			<p>Date: December 10, 2021</p>	<p>Planner/Technician: JR/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>					

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A13"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A13" to the By-law No. 22- Passed the day of, 2022</p>		<p>----- Mayor -----</p>	
	<p>Lands Affected 24 Griffin Street, (By-law 96-10-Z)</p>		<p>----- Clerk -----</p>	
	<p> Change in zoning from Business District "BD-1" Zone to the Core Area Residential "R5" Zone</p>		<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>
		<p>Date: December 10, 2021</p>	<p>Planner/Technician: JR/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>				

To Amend Zoning By-law No. 90-145-Z (Flamborough),
 Respecting Modifications to the Urban Residential (Single Detached) "R1" and Core Area Residential "R5" Zones with the Waterdown Node
 Secondary Plan Area



<p>Schedule "A14"</p> <p>Map forming Part of By-law No. 22-_____</p>	<p>This is Schedule "A14" to the By-law No. 22- Passed the day of, 2022</p>		<p>----- Mayor -----</p>		
	<p>Lands Affected 134, 136, 174, 184, and 188 Main Street South, (By-law 96-10-Z)</p>		<p>----- Clerk -----</p>		
	<p> Change in zoning from the Urban Residential (Single Detached) "R1" Zone to the Urban Residential (Single Detached) "R1-74" Zone</p>		<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	 Hamilton
			<p>Date: December 16, 2021</p>	<p>Planner/Technician: JR/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>					

Authority: Item 7, Planning Committee
Report: 22-005 (PED20135(c))
CM: April 13, 2022
Ward: City Wide

Bill No. 073

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 05-200 with Respect to a Temporary Use By-law for Outdoor Commercial Patios

WHEREAS By-law No. 20-181 amended the outdoor commercial patio regulations in Zoning By-law No. 05-200 to provide temporary relief from the locational requirements and to permit entertainment on outdoor commercial patios for certain commercial zones within the City of Hamilton;

AND WHEREAS By-law No. 20-215 amended By-law No. 20-181 to provide additional temporary relief from the locational requirements for outdoor commercial patios in certain commercial zones and to extend the period of time the by-law was in effect;

AND WHEREAS By-law No. 21-143 amended By-law No. 20-181, as amended by By-law Nos. 20-215, to extend the period of time the by-law was in effect;

AND WHEREAS the temporary use permissions expired on December 31, 2021;

AND WHEREAS it is appropriate to reinstate the temporary locational permissions for outdoor commercial patios to support local businesses by increasing operational flexibility;

AND WHEREAS Subsection 39(3) of the *Planning Act* provides that Council may by by-law grant further periods of time that the temporary use is in effect for a period not more than three years;

AND WHEREAS Council approved Item 7 of Report 22-005 of the Planning Committee, at the meeting held on April 13, 2022;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

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

1. That Schedule "A" – Zoning Maps of Zoning By-law 05-200 is amended by adding the Temporary Use symbol to Maps 414-415, 444-447, 481-482,

516-517, 549-550, 580-582, 612, 680, 753, 793, 834, 859-862, 867-879, 871, 901-904, 906-913, 942-943, 946-958, 988, 990, 992-999, 1000-1001, 1038-1048, 1050-1051, 1079, 1083-1087, 1089-1092, 1097, 1100, 1124, 1126-1146, 1149-1150, 1174-1179, 1182-1188, 1190-1196, 1198-1999, 1200, 1205, 1228-1229, 1234-1242, 1245-1254, 1258-1260, 1280-1281, 1284-1285, 1287, 1289-1295, 1298-1299, 1301-1302, 1305-1306, 1311-1312, 1339-1340, 1342-1348, 1352, 1383-1384, 1386, 1388-1389, 1394-1395, 1397-1399, 1403, 1405, 1433-1436, 1443, 1445, 1447-1448, 1450, 1452-1454, 1456-1457, 1482-1483, 1494, 1497-1503, 1505-1506, 1546-1549, 1552, 1591, 1593-1597, 1635-1636, 1639-1641, 1710-1711, 1747-1749, 1785-1786, 1819, 1887, 1911-1912, 1934-1935, and 1956.

2. That Schedule “E” – Temporary Use of By-law No. 05-200 is amended by reinstating Temporary Use Provision 6 as follows:

“6. Within the lands zoned Downtown Central Business District (D1) Zone, Downtown Prime Retail Streets (D2) Zone, Downtown Mixed Use (D3) Zone, Community Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use High Density (C4) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density - Pedestrian Focus (C5a) Zone, District Commercial (C6) Zone, Arterial Commercial (C7) Zone, Mixed Use (TOC1) Zone, Local Commercial (TOC2) Zone, Mixed Use High Density (TOC4) Zone, the following provisions shall apply for the period running to March 31, 2025:

- a) Section 4.20 c) shall not apply.
- b) In addition to the provisions of Section 4.20 and Section 5c), an outdoor commercial patio:
 - i) shall be setback a minimum of 5.0 metres from any residential zone;
 - ii) shall not obstruct a driveway, parking aisle or fire route; and,
 - iii) may occupy required parking spaces.”

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

4. That this By-law comes into force in accordance with Sections 34 and 39 of the *Planning Act*.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 20-F(4)

Authority: Item 7, Planning Committee
Report: 22-005 (PED20135(c))
CM: April 13, 2022
Ward: City Wide

Bill No. 074

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 05-200 with Respect to a Temporary Use By-law for Temporary Tents

WHEREAS By-law No. 20-214 amended the temporary tent regulations in Zoning By-law No. 05-200 to allow temporary tents for restaurants and certain institutional uses in certain commercial and institutional zones within the City of Hamilton to be erected for longer periods of time to accommodate physical distancing requirements as a result of COVID;

AND WHEREAS By-law No. 21-143 amended By-law No. 20-214 to allow temporary tents to be erected for longer periods of time for an expanded range of uses in certain commercial zones, uses permitted in the Community Park (P2) Zone, the City Wide (P3) Zone, and certain commercial uses and accessory commercial uses permitted in certain industrial zones, to facilitate the Province's Roadmap to Reopen, and further, extended the period of time the by-law was in effect;

AND WHEREAS the temporary use permissions expired on December 31, 2021;

AND WHEREAS it is appropriate to reinstate the temporary tent regulations that permit temporary tents for certain uses and in certain zones to be erected for longer periods of time to improve operational flexibility for businesses and institutional uses;

AND WHEREAS Subsection 39(3) of the *Planning Act* provides that Council may by by-law grant further periods of time that the temporary use is in effect for a period not more than three years;

AND WHEREAS Council approved Item 7 of Report 22-005 of the Planning Committee, at the meeting held on April 13, 2022;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

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

1. That Schedule “A” – Zoning Maps of Zoning By-law 05-200 is amended by adding the Temporary Use symbol to Maps 102, 118, 124, 142-143, 148, 172-173, 199-200, 310, 340, 380-381, 411, 413, 414-415, 444-448, 476, 480-482, 515-517, 523, 548-550, 580-582, 611-613, 642, 658-659, 680, 739, 749-753, 776, 789- 793, 817, 819-821, 823-825, 827-833, 834, 859-862, 863-879, 871, 901-905, 906-920, 942-943, 945-959, 960-962, 988-990, 991-999, 1000-1006, 1013, 1022, 1033, 1035-1049, 1050-1051, 1059, 1068, 1079, 1080-1088, 1089-1096, 1097-1099, 1100, 1124, 1126-1150, 1159, 1174-1180, 1181-1189, 1190-1999, 1200-1204, 1205, 1213, 1228-1229, 1230-1244, 1245-1257, 1258-1260, 1279-1281, 1284-1285, 1287-1296, 1298-1299, 1301-1306, 1309-1313, 1332-1334, 1336-1338, 1339-1341, 1342-1349, 1352, 1364-1365, 1383-1393, 1394-1396, 1397-1401, 1403-1405, 1433-1439, 1440-1443, 1445-1449, 1450-1455, 1456-1457, 1481-1495, 1496-1504, 1505-1506, 1525, 1528-1531, 1535-1542, 1545-1552, 1570, 1573-1574, 1580-1581, 1584-1585, 1590-1597, 1627-1629, 1634-1637, 1639-1641, 1671, 1676-1678, 1710-1711, 1717, 1747-1749, 1785-1786, 1819, 1883-1885, 1887, 1908-1912, 1932-1935, and 1956.
2. That Schedule “E” – Temporary Use of By-law No. 05-200 is amended by reinstating, with modifications, Temporary Use Provision 8 as follows:
 - “8. That notwithstanding Section 3, 4.18 d), and 5.1 c) the following provisions shall apply to temporary tents for uses permitted in the Downtown Central Business District (D1) Zone, Downtown Mixed Use – Pedestrian Focus (D2) Zone, Downtown Mixed Use (D3) Zone, Community Park (P2) Zone, City Wide (P3) Zone, Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use High Density (C4) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density - Pedestrian Focus (C5a) Zone, District Commercial (C6) Zone, Arterial Commercial (C7) Zone, Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, Transit Oriented Corridor Local Commercial (TOC2) Zone, Transit Oriented Corridor Mixed Use High Density – Pedestrian Focus (TOC4) Zone, for places of worship, hospitals, and educational establishments in the Neighbourhood Institutional (I1) Zone, Community Institutional (I2) Zone and Major Institutional (I3) Zone, and personal services, restaurants, and retail, and accessory commercial uses to a permitted use in the Research and Development (M1) Zone, General Business Park (M2) Zone, Prestige Business Park (M3) Zone, Business Park Support (M4) Zone, General Industrial (M5) Zone, Light Industrial (M6) Zone, Airside Industrial (M7) Zone, Airport Related Business (M8) Zone, Airport Light Industrial (M10) Zone, Airport Prestige Business (M11) Zone, Shipping and Navigation (Port Lands) (M13) Zone, Shipping and Navigation (East Port) (M14) Zone, for the period running to March 31, 2025:

- a) The temporary use by-law with respect to tents, shall not apply to the Residential Commercial (C1) Zone;
 - b) The temporary tent shall not be in operation for more than six consecutive months;
 - c) The temporary tent shall not be subject to any minimum or maximum yard setbacks or parking requirements of the zone;
 - d) Notwithstanding Clause 3 above, the temporary tent shall be setback a minimum of 5 metres from a Residential Zone;
 - e) The temporary tent shall not occupy areas devoted to barrier-free parking space(s) or loading space(s);
 - f) The temporary tent shall not be used for human habitation; and,
 - g) For the purposes of this Temporary Use by-law, a temporary tent shall not be considered as an accessory building.”
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passage of this By-law in accordance with the *Planning Act*.
 4. That this By-law comes into force in accordance with Sections 34 and 39 of the *Planning Act*.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 20-F(4)

Authority: Item 6, Planning Committee
Report 22-005 (PED16155(c))
CM: April 13, 2022
Ward: City Wide
Bill No. 075

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 05-200 With Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the City of Hamilton

WHEREAS Council approved Item 6 of Report 22-005 of the Planning Committee, at its meeting held on April 13, 2022;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan, Rural Hamilton Official Plan, Hamilton-Wentworth Official Plan and City of Hamilton Official Plan;

NOW THEREFORE Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Section 4.20 – OUTDOOR COMMERCIAL PATIOS, is amended by deleting Subsection d).
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.
3. That this By-law comes into force in accordance with Section 39 of the *Planning Act*.

PASSED this 13th day of April, 2022

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 6, Planning Committee
Report 22-005 (PED16155(c))
CM: April 13, 2022
Ward: City Wide
Bill No. 076

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 87-57 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Ancaster

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” 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. 87-57 (Ancaster) was enacted on the 22nd day of June, 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS Council, in approving Item 6 of Report 22-005 of the Planning Committee, at its meeting held on the 13th day of April 2022, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan and Rural Hamilton Official Plan;

NOW THEREFORE Council of the City of Hamilton amends Zoning By-law No. 87-57 (Ancaster) as follows:

1. That Section 7.30 – Outdoor Commercial Patios, be amended by deleting Subsection d).

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

PASSED this 13th day of April, 2022

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 22-D

Authority: Item 6, Planning Committee
Report 22-005 (PED16155(c))
CM: April 13, 2022
Ward: City Wide
Bill No. 077

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law 3581-86 (Dundas) with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Dundas

WHEREAS the *City of Hamilton Act 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 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 Town of Dundas" 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality 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. 3581-86 (Dundas) was enacted on the 22nd day of May 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988

AND WHEREAS Council, in approving Item 6 of Report 22-05 of the Planning Committee, at its meeting held on the 13th day of April, 2022, recommended that Zoning By-law No. 3581-86 (Dundas) be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan and the Rural Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 3581-86 (Dundas) as follows:

1. That Section 6.26 - Outdoor Commercial Patios, be amended by deleting Subsection d).
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

To Amend Zoning By-law 3581-86 (Dundas) with Respect to Commercial Entertainment and Recreation
on Outdoor Commercial Patios in the former Town of Dundas

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 22-D

Authority: Item 6, Planning Committee
Report: 22-005 (PED16155(c))
CM: April 13, 2022
Ward: City Wide

Bill No. 078

**CITY OF HAMILTON
BY-LAW NO. 22-**

**To Amend Zoning By-law No. 90-145-Z with respect to Commercial Entertainment
and Recreation on Outdoor Commercial Patios in the former Town of
Flamborough**

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1, 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 Town of Flamborough”, and is the successor of 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th of November 1990 and approved by the Ontario Municipal Board on the 21st of December, 1991;

AND WHEREAS Council, in approving Item 6 of Report 22-005 of the Planning Committee, at its meeting held on the 13th day of April 2022, recommended that Zoning By-law No. 90-145-Z (Flamborough) be amended as hereinafter provided;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan and Rural Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 90-145-Z (Flamborough) as follows:

1. That Section 5.38 – Outdoor Commercial Patios, be amended by deleting Subsection (d).
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the *Planning Act*.

PASSED this 13th day of April, 2022

F. Eisenberger
Mayor

A. Holland
Clerk

CI 22 - D

Authority: Item 6, Planning Committee
Report 22-005 (PED16155(c))
CM: April 13, 2022
Ward: City Wide
Bill No. 079

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 464 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Glanbrook

WHEREAS the *City of Hamilton Act 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 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 Town of Glanbrook" 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 and Official Plans 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. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS Council, in adopting Item 6 of Report 22-005 of the Planning Committee, at its meeting held on the 13th day of April, 2022, recommended that Zoning By-law No. 464 (Glanbrook) be amended as hereinafter provided; and

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan and Rural Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 464 (Glanbrook) as follows:

1. That Section 7.43 OUTDOOR PATIO RESTAURANTS, be amended by deleting Subsection d).
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 13th day of April, 2022

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 22-D

Authority: Item 6, Planning Committee
Report 22-005 (PED16155(c))
CM: April 13, 2022
Ward: City Wide
Bill No. 080

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 6593 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former City of Hamilton

WHEREAS, the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Schedule. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

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 Hamilton" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

WHEREAS, the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS, the Council of the Corporation of the City of Hamilton passed Zoning Bylaw No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order, dated the 7th day of December 1951, (File No. P.F.C. 3821);

WHEREAS, the Council of the City of Hamilton, in adopting Item 6 of Report 22-005 of the Planning Committee, at its meeting held on the 13th day of April 2022, recommended that Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided; and

WHEREAS, this By-law is in conformity with the Urban Hamilton Official Plan, Hamilton-Wentworth Official Plan and City of Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 6593 (Hamilton) as follows:

1. That Section 18. (11) Special Requirements for Outdoor Patios, is amended by deleting Subsection (d) and renumbering Subsections (e), (f), and (g) accordingly.
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 22-D

Authority: Item 6, Planning Committee
Report: 22-005 (PED16155(c))
CM: April 13, 2022
Ward: City Wide
Bill No. 081

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 3692-92 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former City of Stoney Creek

WHEREAS the *City of Hamilton Act 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 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 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS Council, in approving Item 6 of Report 22-005 of the Planning Committee, at its meeting held on the 13th day of April 2022, recommended that Zoning By-law No. 3692-92 (Stoney Creek) be amended as hereinafter provided;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan and Rural Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 3692-92 (Stoney Creek) as follows:

1. That Section 8.1.7 – Outdoor Patio Restaurants, be amended by deleting Subsection (d).
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

To Amend Zoning By-law No. 3692-92 with Respect to
Commercial Entertainment and Recreation on Outdoor Commercial Patios
in the former City of Stoney Creek

Page 2 of 2

PASSED this 13th day of April, 2022

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 22-D

Authority: Item 5, Planning Committee
Report: 22-005 (PED22047)
CM: April 13, 2022
Ward: City-Wide

Bill No. 082

CITY OF HAMILTON

BY-LAW NO. 22-

To Adopt:

**Official Plan Amendment No. 166 to the
Urban Hamilton Official Plan**

Respecting:

**Housekeeping Amendments
(City Wide)**

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

1. Amendment No. 166 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

DRAFT Urban Hamilton Official Plan Amendment No. 166

The following text, together with:

Volume 1

Appendix “ A ”	Chapter C – City Wide Systems and Designations
Appendix “ B ”	Chapter E – Urban Systems and Designations
Appendix “ C ”	Chapter G – Glossary
Appendix “ D ”	Schedule B – Natural Heritage System
Appendix “ E ”	Schedule B-2 – Detailed Natural Heritage Feature – Significant Woodlands
Appendix “ F ”	Schedule E-1 – Urban Land Use Designations

Volume 2

Appendix “ G ”	Chapter B – Secondary Plans
Appendix “ H ”	Map B.5.1-1 – Binbrook Village Secondary Plan – Land Use Plan
Appendix “ I ”	Map B.5.1-2 – Binbrook Village Secondary Plan – Open Space Linkages
Appendix “ J ”	Map B.5.4-1 – Mount Hope Secondary Plan – Land Use Plan
Appendix “ K ”	Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan

attached hereto, constitutes Official Plan Amendment No. 166 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to:

- Clarify policies by correcting administrative errors (i.e. formatting, numbering, typographical and grammar);

- Remove duplicate and/or redundant wording and add a new definition; and,
- Correct policy and mapping errors.

2.0 **Location:**

The lands affected by this Amendment are located within the Urban Area of the City of Hamilton.

3.0 **Basis:**

The basis for permitting this Amendment is:

- The Amendment reflects existing land uses and approvals and will more accurately guide future development; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

4.0 **Actual Changes:**

4.1 **Volume 1 – Parent Plan**

Text

4.1.1 **Chapter C – City Wide Systems and Designations**

- a. That Policies C.5.3.1 and C.5.3.3 of Volume 1: Chapter C – City Wide Systems and Designations be amended, as outlined in Appendix “A”, attached to this Amendment:

4.1.2 **Chapter E – Urban Systems and Designations**

- a. That Policy E.2.7.2 of Volume 1: Chapter E – Urban Designations be amended, as outlined in Appendix “B”, attached to this Amendment:

4.1.3 **Chapter G – Glossary**

- a. That Volume 1: Chapter G – Glossary be amended by adding one definition as outlined in Appendix “C”, attached to this Amendment.

4.1.4 Schedules

- a. That Volume 1: Schedule B – Natural Heritage System be amended, as shown on Appendix “D”, attached to this Amendment.
- b. That Volume 1: Schedule B-2 – Detailed Natural Heritage Feature – Significant Woodlands be amended, as shown on Appendix “E”, attached to this Amendment.
- c. That Volume 1: Schedule E-1 – Urban Land Use Designations be amended, as shown on Appendix “F”, attached to this Amendment.

4.2 Volume 2 – Secondary Plans

Text

4.2.1 Chapter B –Secondary Plans

- a. That Volume 2: Chapter B – Secondary Plans be amended to revise, add or delete policies, as outlined in Appendix “G”, attached to this Amendment:
- B.2.8.6.1
 - B.5.1.13.5
 - B.6.2.17.10
 - B.16.2.17.7
 - B.5.4.11.11
 - B.7.6.9.21
 - B.8.4
 - B.8.17.8
 - B.8.17.10

Maps

4.2.2 Maps

- a. That Volume 2: Map B.5.1-1 – Binbrook Village Secondary Plan – Land Use Plan be amended, as shown on Appendix “H”, attached to this Amendment.
- b. That Volume 2: Map B.5.1-2 – Binbrook Village Secondary Plan – Open Space Linkages be amended, as shown on Appendix “I”, attached to this Amendment.
- c. That Volume 2: Map B.5.4-1 – Mount Hope Secondary Plan – Land Use Plan be amended, as shown on Appendix “J”, attached to this Amendment.

- d. That Volume 2: Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan be amended, as shown on Appendix “J”, attached to this Amendment.

5.0 Implementation:

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

This Official Plan Amendment is Schedule “1” to By-law No. 22-082 passed on the 13th day of April, 2022.

**The
City of Hamilton**

F. Eisenberger
MAYOR

A. Holland
CITY CLERK

Appendix "A" – Volume 1, Chapter C – City Wide Systems and Designations

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted – strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>C.5.3.1 The Province requires municipalities to prohibit the extension or expansion of lake-based municipal services outside of <i>urban area</i> boundaries for properties within the City limits, except in response to public health emergencies. No extensions of the municipal lake-based water and wastewater systems shall be permitted by this Plan into lands detailed in the Rural Hamilton Official Plan within Rural Hamilton unless the Medical Officer of Health declares an urgent public health emergency and there are no viable alternatives to rectify the emergency except by the provision of municipal water and/or wastewater systems to the affected population.</p>	<p>C.5.3.1 The Province requires municipalities to prohibit the extension or expansion of lake-based municipal services outside of <i>urban area</i> boundaries for properties within the City limits, except in response to public health emergencies. No extensions of the municipal lake-based water and wastewater systems shall be permitted by this Plan into lands within <i>Rural Hamilton</i> unless the Medical Officer of Health declares an urgent public health emergency and there are no viable alternatives to rectify the emergency except by the provision of municipal water and/or wastewater systems to the affected population.</p>
<p>C.5.3.3 Prior to the adoption of this Plan, the City has installed, approved specific Official Plan policies, entered into legal agreements and approved engineering plans in accordance with its former Official Plan policies to extend lake-based municipal water and wastewater services to certain properties in the Rural Hamilton Official Plan within Rural Hamilton.</p>	<p>C.5.3.3 Prior to the adoption of this Plan, the City has installed, approved specific Official Plan policies, entered into legal agreements and approved engineering plans in accordance with its former Official Plan policies to extend lake-based municipal water and wastewater services to certain properties within <i>Rural Hamilton</i>.</p>

Appendix "B" – Volume 1, Chapter E – Urban Systems and Designations

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted – strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>E.2.7.2 <i>Employment Areas</i> shall provide employment through a broad range of uses, including traditional industrial uses, research and <i>development</i> uses, and other uses. Uses which support the businesses and employees of the employment area shall be permitted. Major retail uses or residential uses shall not be permitted. The permitted uses shall be described in more detail in Section E.5.0 – Employment Area Designations.</p>	<p>E.2.7.2 <i>Employment Areas</i> shall provide employment through a broad range of uses, including traditional industrial uses, research and <i>development</i> uses, and other uses. Uses which support the businesses and employees of the employment area shall be permitted. Major retail uses or residential uses shall not be permitted. The permitted uses shall be described in more detail in Section E.5.0 – Employment Area Designations.</p>

Appendix "C" – Volume 1, Chapter G – Glossary

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted – strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>Rural Hamilton: means the area within the municipal boundary of the City of Hamilton but outside of the <i>urban boundary</i>.</p>	<p>Rural Hamilton: means the area within the municipal boundary of the City of Hamilton but outside of the <i>urban boundary</i>.</p>

Appendix D
 APPROVED Amendment No. 166
 to the Urban Hamilton Official Plan

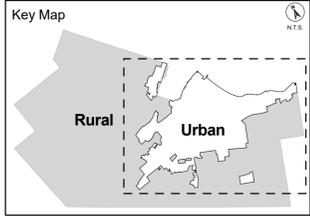
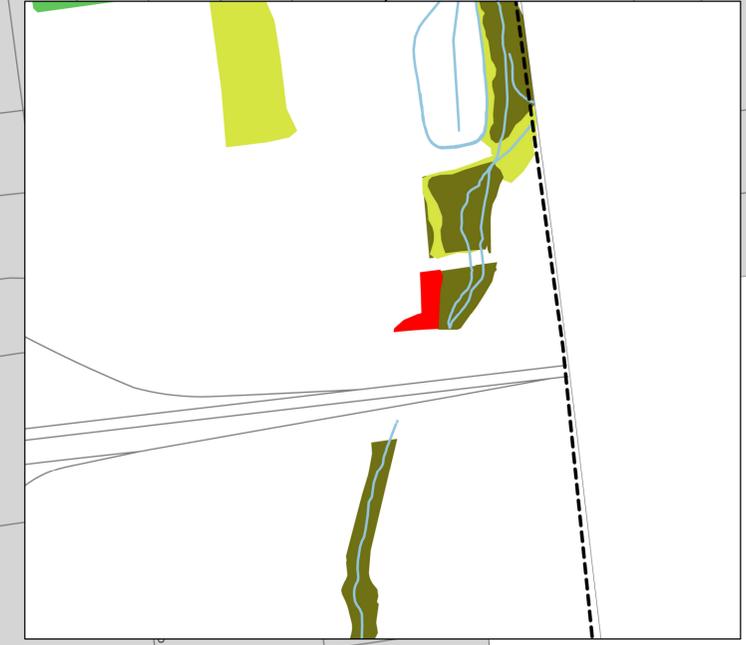
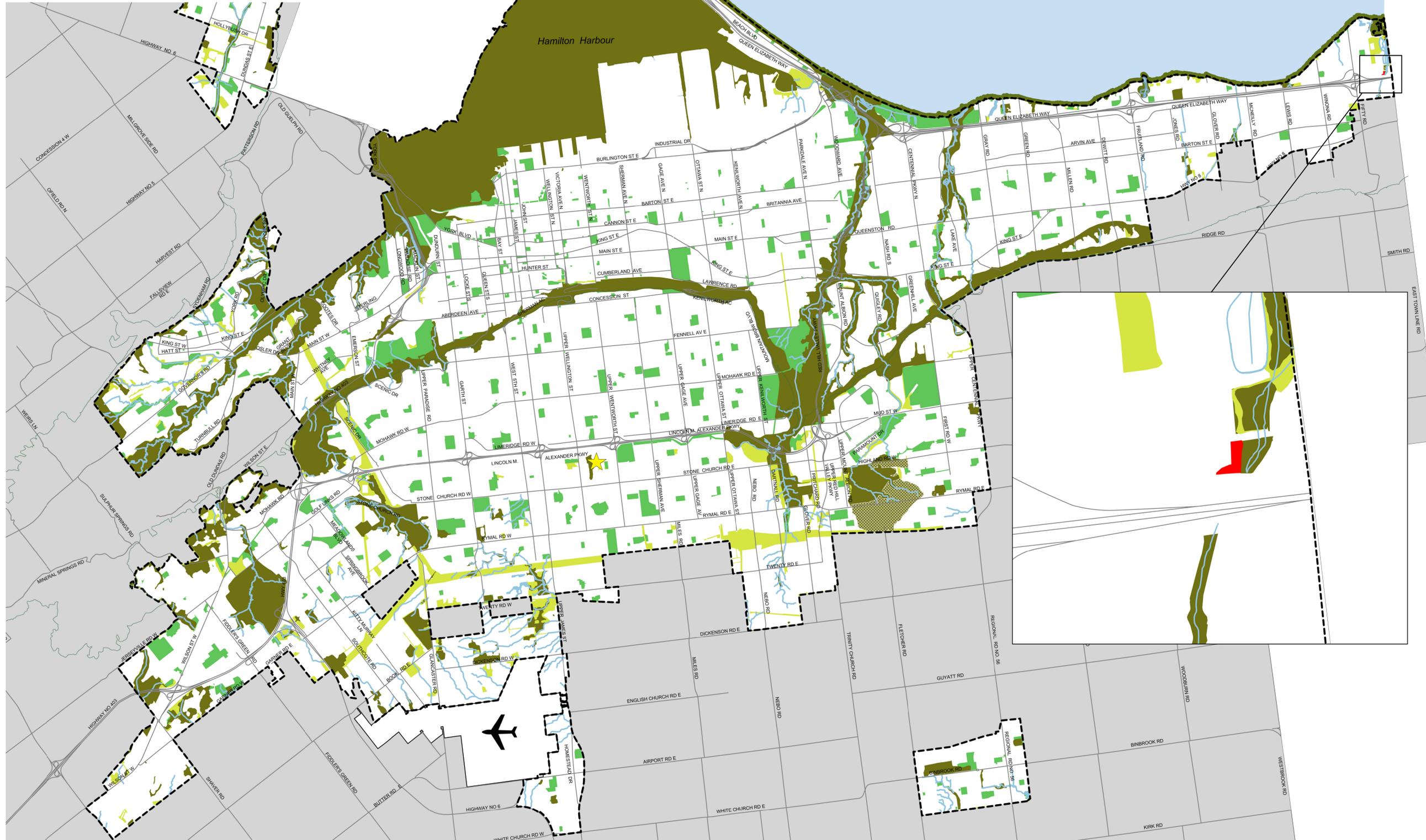
 Lands to be identified as "Core Area"

(1490 Baseline Road, Stoney Creek)

Date:
 April 6, 2022

Revised By:
 DM/NB

Reference File No.:
 OPA-U-166(S)



Note: For Rural Natural Heritage Features refer to Schedule B of the Rural Hamilton Official Plan.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.

 **Lands Under Appeal**

- 313 Stone Church Road East & lands bounded by Stone Church Road East, Upper Wellington Street, Lincoln M Alexander Parkway and Upper Wentworth Street

Legend

-  Core Areas
-  Area Specific Policy - USC-1 and USC-2 in Volume 3
-  Linkages
-  Parks & General Open Space (Excluding Parkettes)
-  Streams

Other Features

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

Council Adoption: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan
 Schedule B
 Natural Heritage System**

Not To Scale



Date: February 2021

Appendix E
 APPROVED Amendment No. 166
 to the Urban Hamilton Official Plan

- Lands to be identified as "Key Natural Heritage Feature - Significant Woodlands"
 (1490 Baseline Road, Stoney Creek)
- "Key Natural Heritage Feature - Significant Woodlands" identification to be removed
 (495 Hamilton Drive, Ancaster)

Date: April 6, 2022	Revised By: DM/NB	Reference File No.: OPA-U-166(H)
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Note: For Rural Detailed Natural Heritage Features refer to Schedule B-2 of the Rural Hamilton Official Plan.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway to Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.

★ Lands Under Appeal

- 313 Stone Church Road E & lands bounded by Stone Church Road East, Upper Wellington Street, Lincoln M Alexander Parkway and Upper Wentworth Street

Legend

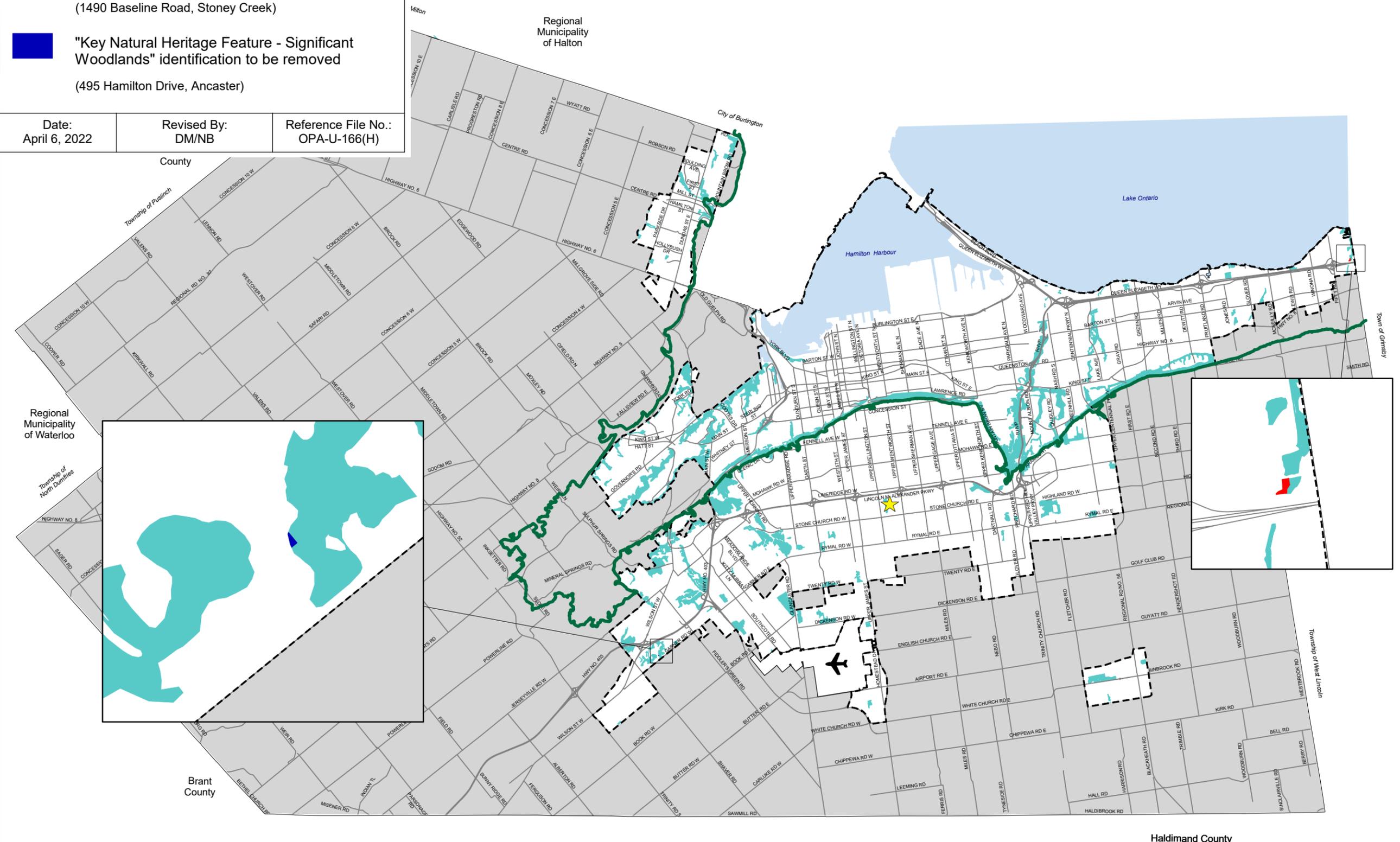
- Key Natural Heritage Feature Significant Woodlands
- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Schedule B-2
 Detailed Natural Heritage Features
 Key Natural Heritage Feature
 Significant Woodlands



Date: Sept. 2019
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Appendix F
 APPROVED Amendment No. 166
 to the Urban Hamilton Official Plan

 Lands to be redesignated from
 "Neighbourhoods" to "Open Space"

(1490 Baseline Road, Stoney Creek)

Date: April 6, 2022
 Revised By: DM/NB
 Reference File No.: OPA-U-166(S)

APPEALS

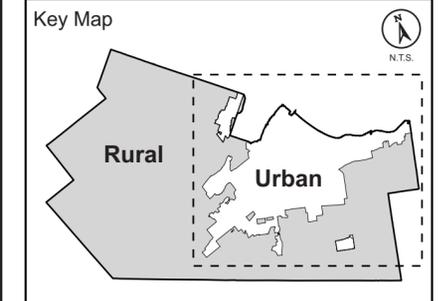
 The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal.

UHOPA NO. 69 APPEALS - PL171450

-  - 71 Main Street West and 10 Baldwin Street, Appellant # 8
- 3011 Homestead Drive (Glanbrook), Appellant # 4
- 221-225 John Street South and 70-78 Young Street (Hamilton), Appellant # 20
- 237 Upper Centennial Parkway (Stoney Creek), Appellant # 14

UHOPA NO. 102 APPEALS - PL180548

-  - 215, 217, 219, 221, 225 and 231 Main Street West, 67 & 69 Queen Street South and 62 & 64 Hess Street South



Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.



-  Neighbourhoods
-  Open Space
-  Institutional
-  Utility

Commercial and Mixed Use Designations

-  Downtown Mixed Use Area
-  Mixed Use - High Density
-  Mixed Use - Medium Density
-  District Commercial
-  Arterial Commercial

Employment Area Designations

-  Industrial Land
-  Business Park
-  Airport Employment Growth District
-  Shipping & Navigation

Other Features

-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary
-  Lands Subject to Non Decision 113 West Harbour Setting Sail

Council Adoption: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan Schedule E-1 Urban Land Use Designations



Not To Scale

Date: Sept. 2021

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Appendix "G" – Volume 2, Chapter B – Secondary Plans

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted – strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>B.2.8.6.1 In addition to Section E.2.3.3 – Community Nodes of Volume 1, and the policies of this Secondary Plan, the following policies shall apply to the Ancaster Community Node shown on Appendix A - Character Areas and Heritage Features:</p> <p>d) Within the Ancaster Community Node, larger scale development and redevelopment are encouraged to be directed towards the Uptown Core and western eastern portion of the Gateway Residential area, as shown on Appendix A – Character Areas and Heritage Features.</p>	<p>B.2.8.6.1 In addition to Section E.2.3.3 – Community Nodes of Volume 1, and the policies of this Secondary Plan, the following policies shall apply to the Ancaster Community Node shown on Appendix A - Character Areas and Heritage Features:</p> <p>d) Within the Ancaster Community Node, larger scale development and redevelopment are encouraged to be directed towards the Uptown Core and eastern portion of the Gateway Residential area, as shown on Appendix A – Character Areas and Heritage Features.</p>
<p>Site Specific Policy – Area E (OPA 1)</p> <p>B.5.1.13.5 Notwithstanding Sections E.4.3.4 d) and E.4.6.6 a) of Volume 1 and Section B.5.1.5.1 i), as it applies to drive-through uses in pedestrian focus areas on pedestrian focus streets, for lands located at 2660-2668 Binbrook Road East and 2651 Regional Road 56, a maximum of one drive-through facility accessory to a restaurant shall be permitted subject to the following: : ...</p>	<p>Site Specific Policy – Area E (OPA 1)</p> <p>B.5.1.13.5 Notwithstanding Sections E.4.3.4 d) and E.4.6.6 a) of Volume 1 and Section B.5.1.5.1 i), as it applies to drive-through uses on <i>pedestrian focus streets</i>, for lands located at 2660-2668 Binbrook Road East and 2651 Regional Road 56, a maximum of one drive-through facility accessory to a restaurant shall be permitted subject to the following: : ...</p>
<p>Area Specific Policy – Area K</p> <p>5.4.11.X In addition to Section B.5.4.2.2 b) of Volume 2, for the lands located at 9255 Airport Road West (Block 94, Registered Plan No. 62M-1269), designated Low Density Residential 2c and identified as Site Specific Policy – Area K, public parkland, open space or other <i>passive recreation</i> uses shall be permitted.</p>	<p>Area Specific Policy – Area K</p> <p>5.4.11.X In addition to Section B.5.4.2.2 b) of Volume 2, for the lands located at 9255 Airport Road West (Block 94, Registered Plan No. 62M-1269), designated Low Density Residential 2c and identified as Site Specific Policy – Area K, public parkland, open space or other <i>passive recreation</i> uses shall be permitted.</p>

Proposed Change	Proposed New / Revised Policy
Grey highlighted - strikethrough text = text to be deleted	Bolded text = text to be added
<p>Site Specific Policy – Area H</p> <p>B.6.2.17.109 In addition to Section E.3.6 – High Density Residential of Volume 1, Section B.6.2.5.5 – High Density Residential Designation of Volume 2, and Section B.6.2.10 – Parks and Open Space Designations of Volume 2, for lands located at 925 Main Street West and 150 Longwood Road South, designated “High Density Residential 1” and “Open Space”, and identified as Site Specific Policy – Area H, the following policies shall apply: ...</p>	<p>Site Specific Policy – Area H</p> <p>B.6.2.17.9 In addition to Section E.3.6 – High Density Residential of Volume 1, Section B.6.2.5.5 – High Density Residential Designation of Volume 2, and Section B.6.2.10 – Parks and Open Space Designations of Volume 2, for lands located at 925 Main Street West and 150 Longwood Road South, designated “High Density Residential 1” and “Open Space”, and identified as Site Specific Policy – Area H, the following policies shall apply: ...</p>
<p>Site Specific Policy – Area K</p> <p>B.6.2.17.712 Notwithstanding Policy B.6.2.7.2 e) and h) ii) for The following policies shall apply to the lands designated Mixed Use – Medium Density, located at 1630 Main Street West and 69 Sanders Boulevard, designated Mixed Use – Medium Density and identified as Site Specific Policy – Area J on Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan – Land Use Plan:</p> <p>a) Notwithstanding Policy B.6.2.7.2 e), the maximum residential density shall be 585 units per gross hectare; and,</p> <p>b) Notwithstanding Policy B.6.2.7.2 h) ii), the maximum height of any multiple dwelling shall be limited to nine storeys.</p>	<p>Site Specific Policy – Area K</p> <p>B.6.2.17.12The following policies shall apply to the lands located at 1630 Main Street West and 69 Sanders Boulevard, designated Mixed Use – Medium Density and identified as Site Specific Policy – Area J on Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan – Land Use Plan:</p> <p>a) Notwithstanding Policy B.6.2.7.2 e), the maximum residential density shall be 585 units per gross hectare; and,</p> <p>b) Notwithstanding Policy B.6.2.7.2 h) ii), the maximum height of any multiple dwelling shall be nine storeys.</p>

Proposed Change	Proposed New / Revised Policy	
Grey highlighted - strikethrough text = text to be deleted	Bolded text = text to be added	
<p>Area Specific Policy – Area E</p> <p>B.7.6.9.21 The following policy shall apply to lands known as 1050 Paramount Drive and identified as Area Specific Policy Area “E” on Map B.7.6-1 – West Mountain (Heritage Green) Land Use Plan:</p> <p>a) Notwithstanding the gross floor area criteria of Policy E.3.8.6 of Volume 1 and Policy B.7.6.3.2 b) of Volume 1+2, the maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum combined gross floor areas of any grouping of local commercial uses shall be 2,000square metres.</p>	<p>Area Specific Policy – Area E</p> <p>B.7.6.9.21 The following policy shall apply to lands known as 1050 Paramount Drive and identified as Area Specific Policy Area “E” on Map B.7.6-1 – West Mountain (Heritage Green) Land Use Plan:</p> <p>a) Notwithstanding the gross floor area criteria of Policy E.3.8.6 of Volume 1 and Policy B.7.6.3.2 b) of Volume 2, the maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum combined gross floor areas of any grouping of local commercial uses shall be 2,000square metres.</p>	
<p>B.8.4 Employment Area Policies</p> <p>... The Employment Supportive Centres are intended to serve as small scale small scale focal points serving the amenity needs of the Airport Employment Growth District’s employees within a reasonable distance of their place of work.</p>	<p>B.8.4 Employment Area Policies</p> <p>... The Employment Supportive Centres are intended to serve as small scale focal points serving the amenity needs of the Airport Employment Growth District’s employees within a reasonable distance of their place of work.</p>	
<p>Site Specific Policy – Area H</p> <p>8.17.8 In addition to the permitted uses in Policy B.8.4.5.1b) – Airport Prestige Business and B.8.4.5.3 – Employment Supportive Centre, for lands located at the southwest corner of Highway 6 and Garner Road, designated Airport Prestige Business and the lands located at the intersection of Garner Road East and Highway 6 identified as an Employment Supportive Centre, and identified on Map B.8-1 – Airport Employment Growth District Land Use Plan as Site Specific Policy – Area H,</p> <p>c) Notwithstanding Policy B.8.4.5.5., a retail store shall not exceed 500 square</p>	<p>Site Specific Policy – Area H</p> <p>8.17.8 In addition to the permitted uses in Policy B.8.4.5.1b) – Airport Prestige Business and B.8.4.5.3 – Employment Supportive Centre, for lands located at the southwest corner of Highway 6 and Garner Road, designated Airport Prestige Business and the lands located at the intersection of Garner Road East and Highway 6 identified as an Employment Supportive Centre, and identified on Map B.8-1 – Airport Employment Growth District Land Use Plan as Site Specific Policy – Area H,</p> <p>c) the gross floor area for any individual retail store shall not exceed 500 square</p>	
<p>Urban Hamilton Official Plan Amendment No. 166</p>	<p>Page 13 of 18</p>	

Proposed Change	Proposed New / Revised Policy
Grey highlighted – strikethrough text = text to be deleted	Bolded text = text to be added
metres the gross floor area for any individual retail store shall not exceed 500 square metres.	metres.
<p>Site Specific Policy – Area J</p> <p>B.8.17.10 In addition to Policy B.8.4.5.1, for the lands located at 2012 Upper James Street (to be changed to 2060 Upper James Street), designated Airport Prestige Business, located at 2012 Upper James Street (to be changed to 2060 Upper James Street) and identified as Site Specific Policy – Area J on Airport Employment Growth District Secondary Plan – Land Use Plan, Map B.8-1, a Place of Worship shall also be permitted on the portion of lands designated Airport Prestige Business.</p>	<p>Site Specific Policy – Area J</p> <p>B.8.17.10 In addition to Policy B.8.4.5.1, for the lands located at 2012 Upper James Street (to be changed to 2060 Upper James Street), designated Airport Prestige Business and identified as Site Specific Policy – Area J on Airport Employment Growth District Secondary Plan – Land Use Plan, Map B.8-1, a Place of Worship shall also be permitted.</p>

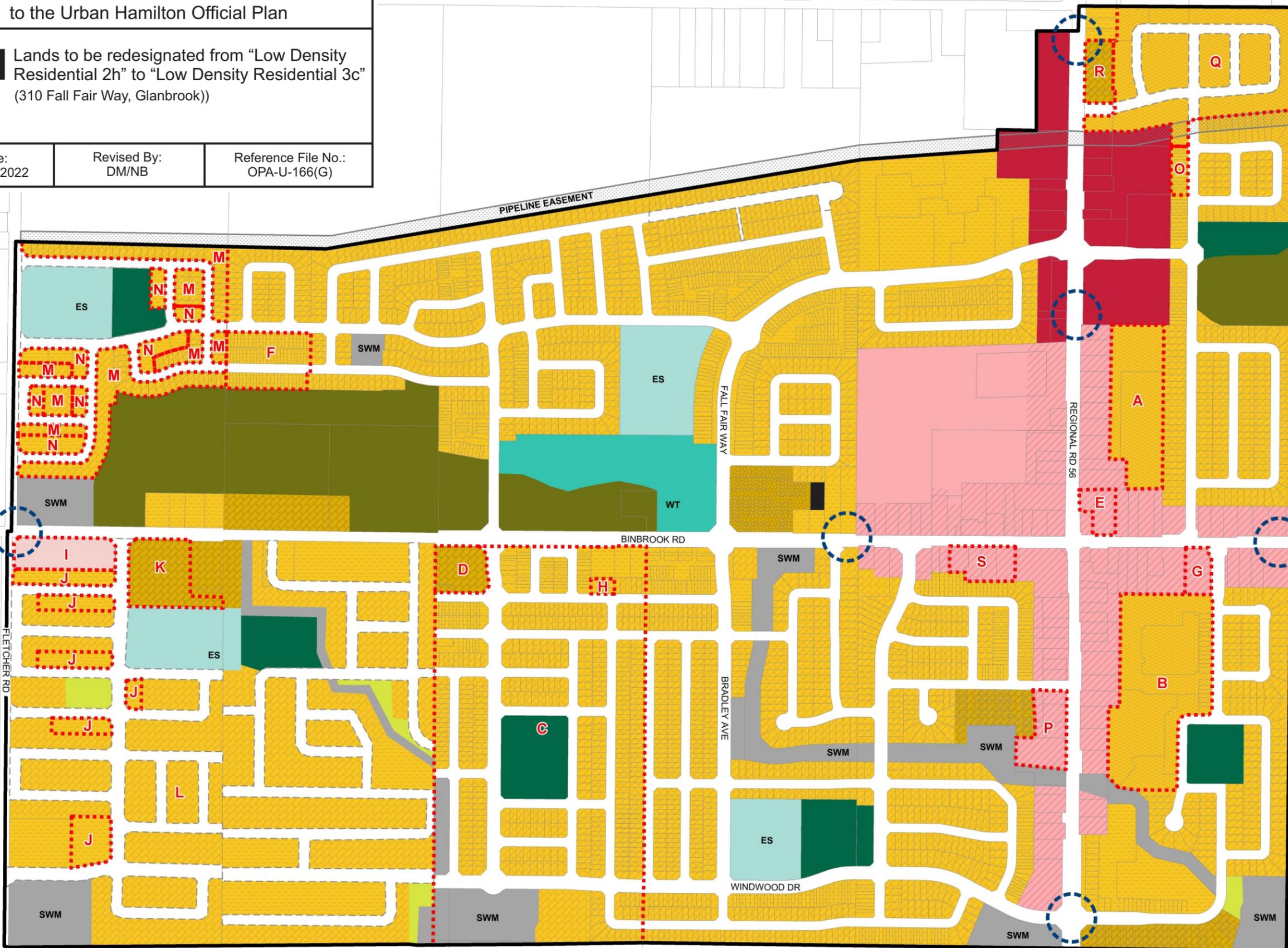
Appendix H
 APPROVED Amendment No. 166
 to the Urban Hamilton Official Plan

 Lands to be redesignated from "Low Density Residential 2h" to "Low Density Residential 3c" (310 Fall Fair Way, Glanbrook))

Date:
 April 6, 2022

Revised By:
 DM/NB

Reference File No.:
 OPA-U-166(G)



Legend

- Residential Designations**
-  Low Density Residential 2d
 -  Low Density Residential 2e
 -  Low Density Residential 2h
 -  Low Density Residential 3c
 -  Low Density Residential 3e
- Commercial and Mixed Use Designations**
-  Local Commercial
 -  District Commercial
 -  Mixed Use - Medium Density
 -  Mixed Use - Medium Density - Pedestrian Focus
- Parks and Open Space Designations**
-  Parkette
 -  Neighbourhood Park
 -  Community Park
 -  General Open Space
 -  Natural Open Space
- Other Designations**
-  Institutional
 -  ES
Elementary School
 -  Utility
 -  SWM
Storm Water Management
- Other Features**
-  Area or Site Specific Policy
 -  Gateway
 -  WT
Water Tower
 -  Pipeline
 -  Proposed Roads
 -  Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Binbrook Village
Secondary Plan
 Land Use Plan
 Map B.5.1-1



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 Lands to be identified as "Community Park"

Date:
 April 6, 2022

Revised By:
 DM/NB

Reference File No.:
 OPA-U-166(G)

Legend

Commercial and Mixed Use Designations

-  Mixed Use - Medium Density
-  Mixed Use - Medium Density - Pedestrian Focus

Open Space Designations

-  Parkette
-  Neighbourhood Park
-  Community Park
-  General Open Space
-  Natural Open Space

Storm Water Management Facilities

-  Storm Water Management
-  Drainage Channel/ Public Walkway

Road Hierarchy

-  Arterial
-  Collector
-  Local
-  Proposed Roads

Other Features

-  Binbrook Park
-  Water Tower
-  Open Space Linkages
-  Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Binbrook Village
Secondary Plan
 Open Space Linkages
 Map B.5.1-2



Date: February 2021
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Appendix J
 APPROVED Amendment No. 166
 to the Urban Hamilton Official Plan

 Lands to be identified as Site Specific Policy - Area K

Date: April 6, 2022	Revised By: DM/NB	Reference File No.: OPA-U-166(H)
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UHOPA NO. 69 APPEALS - PL171450

 3011 Homestead Drive
 Appellant # 4

Legend

Residential Designations

-  Low Density Residential 2
-  Low Density Residential 2c
-  Low Density Residential 3f
-  Medium Density Residential 3

Parks and Open Space Designations

-  Neighbourhood Park
-  Community Park
-  General Open Space
-  Natural Open Space

Other Designations

-  Institutional
-  Mixed Use - Medium Density
-  District Commercial
- ES** Elementary School
- SES** Separate Elementary School
-  Utility
- SWM** Storm Water Management

Other Features

-  Area or Site Specific Policy
-  Proposed Roads
-  Secondary Plan Boundary

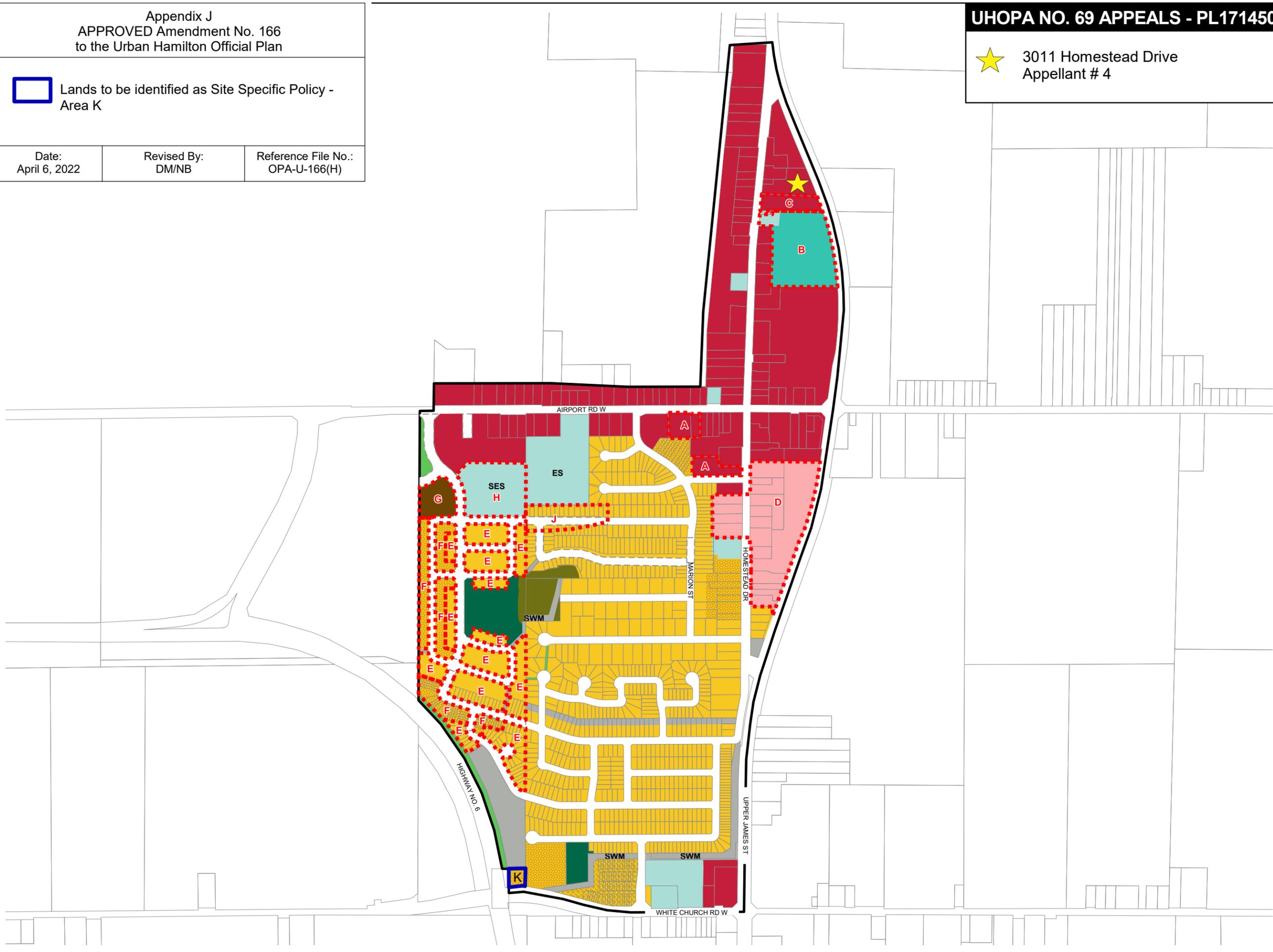
Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Mount Hope
Secondary Plan
 Land Use Plan
 Map B.5.4-1



Date: February 2021

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Appendix K
 APPROVED Amendment No. 166
 to the Urban Hamilton Official Plan

- Lands to be redesignated from "Low Density Residential 1a" to "General Open Space"
- Lands to be redesignated from "General Open Space" to "Low Density Residential 1a"

Date:
 April 6, 2022

Revised By:
 DM/NB

Reference File No.:
 OPA-U-166(H)



Legend

Residential Designations

- Low Density Residential 1
- Low Density Residential 1a
- Low Density Residential 2c
- Medium Density Residential 3

Parks and Open Space Designations

- Neighbourhood Park
- Community Park
- General Open Space
- Natural Open Space

Other Designations

- Institutional
- Utility
- Area or Site Specific Policy
- SWM Storm Water Management

Other Features

- Proposed Private Roads
- Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Chedmac
Secondary Plan
 Land Use Plan
 Map B.6.3-1



Date: June 2021

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Authority: Item 5, Planning Committee
Report: 22-005 (PED22047)
CM: April 13, 2022
Ward: City-Wide

Bill No. 083

CITY OF HAMILTON

BY-LAW NO. 22-

To Adopt:

**Official Plan Amendment No. 33 to the
Rural Hamilton Official Plan**

Respecting:

**Housekeeping Amendments
(City Wide)**

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

1. Amendment No. 33 to the Rural Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

DRAFT Rural Hamilton Official Plan Amendment No. 33

The following text, together with:

Volume 1

- Appendix “A” Chapter D – Rural Systems, Designations and Resources
- Appendix “B” Chapter G – Glossary
- Appendix “C” Schedule B – Natural Heritage System
- Appendix “D” Schedule B-2 - Detailed Natural Heritage Features Key Natural Heritage Feature Significant Woodlands

Volume 2

- Appendix “E” Chapter A – Rural Settlement Area Plans

attached hereto, constitutes Official Plan Amendment No. 33 to the Rural Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to:

- Reinstatement and revision of policies and addition of a new definition; and,
- Correction of policy and mapping errors.

2.0 Location:

The lands affected by this Amendment are located within the City of Hamilton Rural Area.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed Amendment reflects existing land uses and approvals to more accurately guide future development; and,

- The proposed Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Greenbelt Plan, 2017.

4.0 **Actual Changes:**

4.1 **Volume 1 – Parent Plan**

Text

4.1.1 Chapter C – City Wide Systems and Designations

- a. That Policies D.2.1.3 and D.2.1.3.1 f) of Volume 1: Chapter D – City Wide Systems and Designations be revised, as outlined in Appendix “A”, attached to this Amendment:

4.1.2 Chapter G – Glossary

- a. That Volume 1: Chapter G – Glossary be amended by adding one definition, as outlined in Appendix “B”, attached to this Amendment.

Maps and Appendices

4.1.3 Schedules

- a. That Volume 1: Schedule B – Natural Heritage System be amended, as shown on Appendix “C”, attached to this Amendment.
- b. That Volume 1: Schedule B-2 – Detailed Natural Heritage Features Key Natural Heritage Feature Significant Woodlands be amended, as shown on Appendix “D”, attached to this Amendment.

4.2 **Volume 2 – Secondary Plans and Rural Settlement Areas**

Text

4.2.1 Chapter A – Rural Settlement Area Plans

- a. That Volume 2: Chapter A – Rural Settlement Area Plans be amended to reinstate and revise policies, as outlined in Appendix “E”, attached to this Amendment:

- A.1.3.2 (Reinstate policy)
- A.1.3.3
- A.3.13.3.1

5.0 **Implementation:**

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

This Official Plan Amendment is Schedule "1" to By-law No. 22-083 passed on the 13th of April, 2022.

The City of Hamilton

F. Eisenberger
MAYOR

A. Holland
CITY CLERK

Appendix "A" – Volume 1, Chapter D – Rural Systems, Designations and Resources

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted – strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>D.2.1.3 To encourage on-farm economic diversification as a means of reinforcing the agricultural economy, limited <i>secondary uses</i> are permitted. On-farm <i>secondary uses</i> are secondary to the primary <i>agricultural use</i> and are limited to agri-tourism uses, <i>farm vacation homes, home industries, kennels, and small scale</i> retailing of agricultural products, and an agricultural alcohol production facility. On-farm <i>secondary uses</i> shall be permitted provided the following conditions are met in all cases:</p>	<p>D.2.1.3 To encourage on-farm economic diversification as a means of reinforcing the agricultural economy, limited <i>secondary uses</i> are permitted. On-farm <i>secondary uses</i> are secondary to the primary <i>agricultural use</i> and are limited to agri-tourism uses, <i>farm vacation homes, home industries, kennels, small scale</i> retailing of agricultural products, and an agricultural alcohol production facility. On-farm <i>secondary uses</i> shall be permitted provided the following conditions are met in all cases</p>
<p>D.2.1.3.1 In addition to the above policies, on-farm <i>secondary uses</i> shall be subject to the following conditions:</p> <p>f) A small scale winery, brewery, or cidery agricultural alcohol production facility may be permitted secondary to a permitted agricultural use in the Agriculture designation in accordance with the Zoning By-law and provided the following conditions are met:</p> <p>i) A small scale winery, brewery, or cidery agricultural alcohol production facility shall only be permitted as an accessory use to an agricultural use on lots 4 hectares (10 acres) or greater;</p> <p>ii) Site Plan approval shall be required to address appropriate setbacks, building size and location, parking, lighting, drainage, buffering, screening and landscaping, and any other matters;</p> <p>iii) A minimum of 2 hectares (5 acres) of the agricultural use parcel shall be used for the production of grapes, fruits, hops or other produce directly associated with on-site beer, cider, or wine or spirit production;</p> <p>iv) A small scale winery, brewery, or cidery agricultural alcohol production facility shall be located where access is provided by an appropriate road capable of accommodating the traffic generated. A transportation impact study may be required;</p>	<p>D.2.1.3.1 In addition to the above policies, on-farm <i>secondary uses</i> shall be subject to the following conditions:</p> <p>f) A <i>small scale agricultural alcohol production facility</i> may be permitted secondary to a permitted agricultural use in the Agriculture designation in accordance with the Zoning By-law and provided the following conditions are met:</p> <p>i) A <i>small scale agricultural alcohol production facility</i> shall only be permitted as an accessory use to an agricultural use on lots 4 hectares (10 acres) or greater;</p> <p>ii) Site Plan approval shall be required to address appropriate setbacks, building size and location, parking, lighting, drainage, buffering, screening and landscaping, and any other matters;</p> <p>iii) A minimum of 2 hectares (5 acres) of the agricultural use parcel shall be used for the production of grapes, fruits, hops or other produce directly associated with on-site beer, cider, wine or spirit production;</p> <p>iv) A <i>small scale agricultural alcohol production facility</i> shall be located where access is provided by an appropriate road capable of accommodating the traffic generated. A transportation impact study may be required;</p> <p>v) The maximum building area devoted to</p>

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted – strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>v) The maximum building area devoted to an winery, brewery, or cidery agricultural alcohol production facility is restricted to 500 square metres of gross floor area not including the basement or cellar;</p> <p>vi) The display, retail sale and/or tasting of wine, beer, or cider, spirits and related products produced on the farm parcel and accessory retail sale may be permitted, as provided for by the Zoning By-law; and</p> <p>vii) Restaurants, banquet halls, hotels, motels, hostels, schools, residences, and conference facilities shall not be permitted.</p>	<p>an <i>agricultural alcohol production facility</i> is restricted to 500 square metres of gross floor area not including the basement or cellar;</p> <p>vi) The display, retail sale and/or tasting of wine, beer, cider, spirits and related products produced on the farm parcel and accessory retail sale may be permitted, as provided for by the Zoning By-law; and</p> <p>vii) Restaurants, banquet halls, hotels, motels, hostels, schools, residences, and conference facilities shall not be permitted.</p>

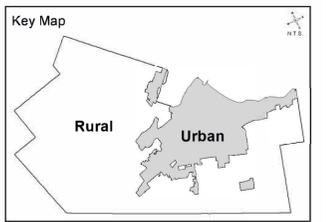
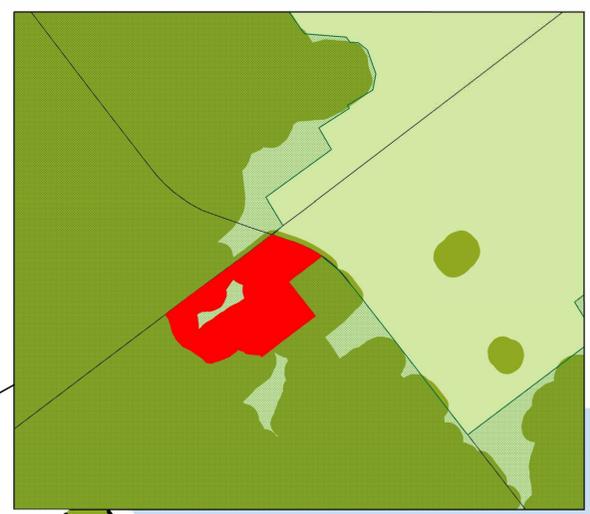
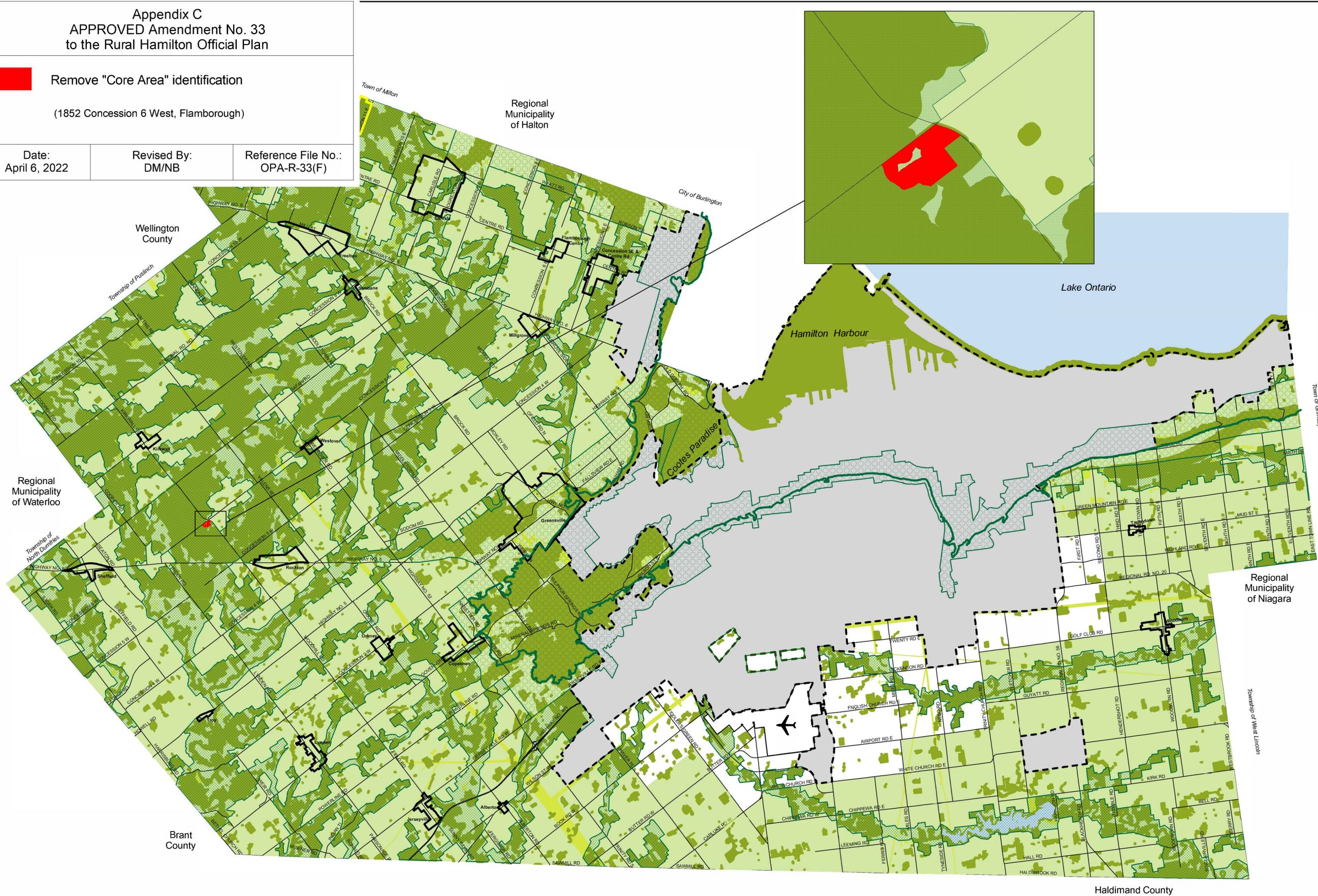
Appendix "B" – Volume 1, Chapter G – Glossary

Proposed Change	Proposed New / Revised Policy
Grey highlighted – strikethrough text = text to be deleted	Bolded text = text to be added
<p>Agricultural Alcohol Production Facility: means a Secondary Use to an Agricultural operation on the same lot, for the processing of grapes, fruit, honey, hops or other produce in the production of beer, wine, cider and / or spirits. Agricultural Alcohol Production Facility uses may include the crushing, fermentation, distillation, production, bottling, aging, storage and accessory sale of beers, ciders, wines, spirits and related products, a laboratory, an administrative office, and a tasting, hospitality and retail area, but shall not include a Restaurant, a Conference or Convention Centre, overnight accommodation or an Alcohol Production Facility.</p>	<p>Agricultural Alcohol Production Facility: means a Secondary Use to an Agricultural operation on the same lot, for the processing of grapes, fruit, honey, hops or other produce in the production of beer, wine, cider and / or spirits. Agricultural Alcohol Production Facility uses may include the crushing, fermentation, distillation, production, bottling, aging, storage and accessory sale of beers, ciders, wines, spirits and related products, a laboratory, an administrative office, and a tasting, hospitality and retail area, but shall not include a Restaurant, a Conference or Convention Centre, overnight accommodation or an Alcohol Production Facility.</p>

Appendix C
 APPROVED Amendment No. 33
 to the Rural Hamilton Official Plan

 Remove "Core Area" identification
 (1852 Concession 6 West, Flamborough)

Date: April 6, 2022
 Revised By: DM/NB
 Reference File No.: OPA-R-33(F)



Note: For Urban Natural Heritage Features refer to Schedule B of the Urban Hamilton Official Plan.

 Deferral pending the resolution of the Official Plan Amendment application

Legend

-  Rural Settlement Areas
- Natural Heritage Features**
 -  Core Areas
 -  Linkages
 -  Greenbelt Protected Countryside
 -  Greenbelt Natural Heritage System
 -  Niagara Escarpment Plan Area
- Other Features**
 -  Urban Area
 -  John C. Munro Hamilton International Airport
 -  Niagara Escarpment
 -  Urban Boundary
 -  Municipal Boundary

Council Adoption: September 27, 2006
 Ministerial Approval: December 24, 2008
 Effective Date: June 28, 2011

**Rural Hamilton Official Plan
 Schedule B
 Natural Heritage System**



Not To Scale
 Date: November 2021
 PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
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Appendix D
 APPROVED Amendment No. 33
 to the Rural Hamilton Official Plan

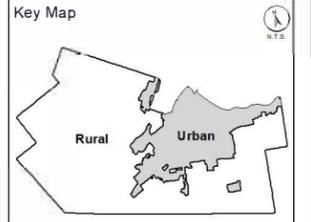
Remove "Significant Woodlands" identification

(1852 Concession 6 West, Flamborough)

Date:
 April 6, 2022

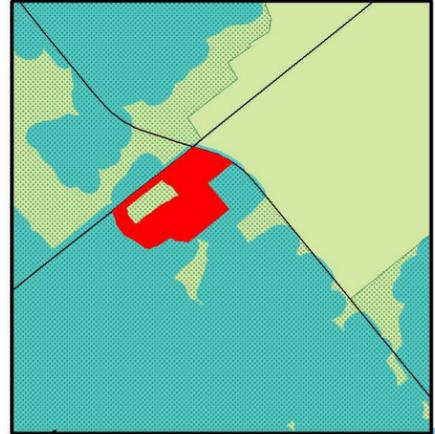
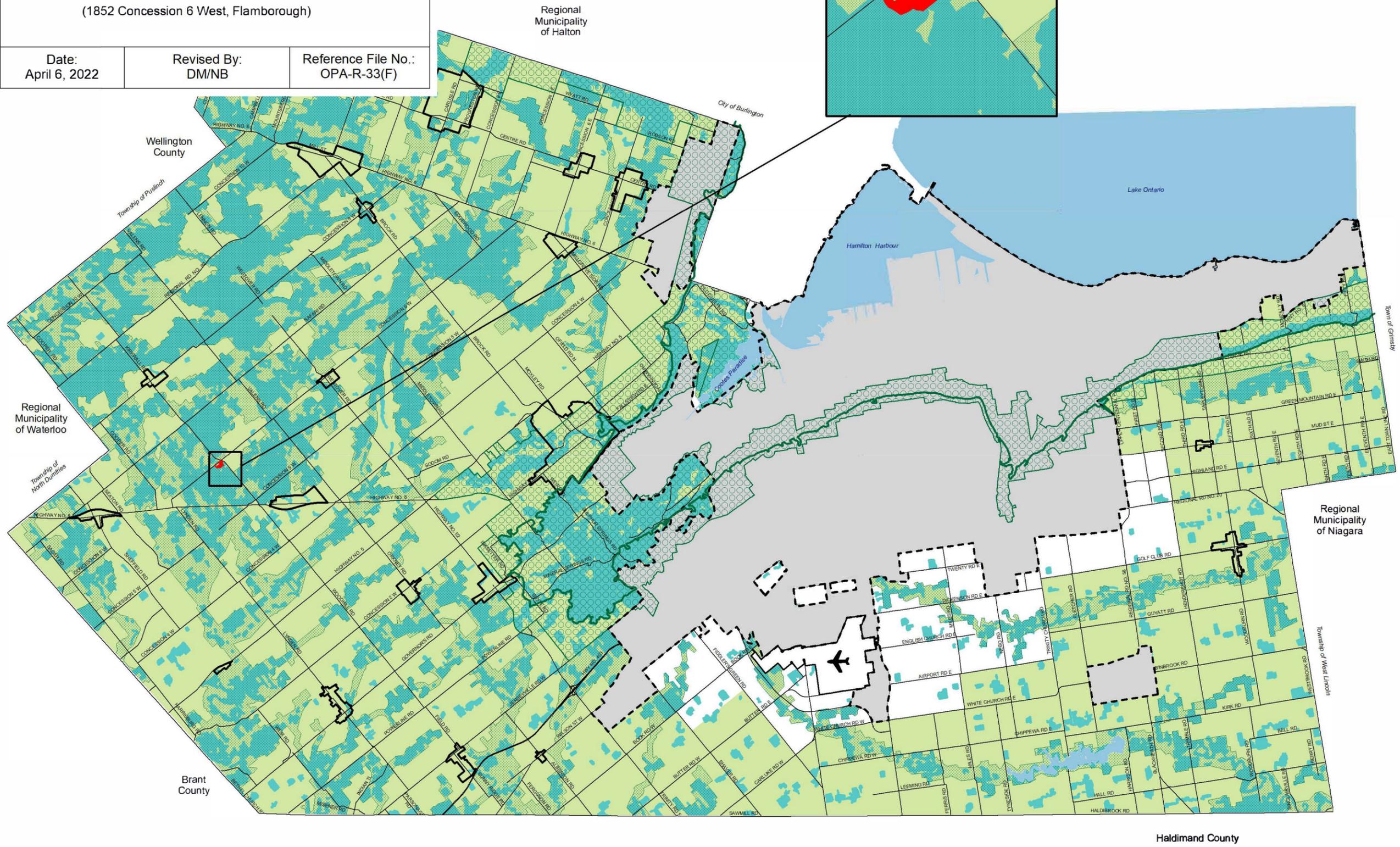
Revised By:
 DM/NB

Reference File No.:
 OPA-R-33(F)



Note: For Urban Detailed Natural Heritage Features refer to Schedule B-2 of the Urban Hamilton Official Plan.

Deferral pending the resolution of the Official Plan Amendment application



- Legend**
- Key Natural Heritage Feature Significant Woodlands *
 - Greenbelt Protected Countryside
 - Greenbelt Natural Heritage System
 - Niagara Escarpment Plan Area
- Other Features**
- Urban Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary

* **Note:** Feature mapped with a 30m Vegetation Protection Zone.

Council Adoption: September 27, 2006
 Ministerial Approval: December 24, 2008
 Effective Date: March 7, 2012

Rural Hamilton Official Plan
Schedule B-2
 Detailed Natural Heritage Features
 Key Natural Heritage Feature
 Significant Woodlands

Not To Scale

Date: November 2021

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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 OF SURVEY

Appendix "E" – Volume 2, Chapter A – Rural Settlement Area Plans

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted – strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>Reinstate Policy A.1.3.2 in its entirety. A.1.3.2 Garden suites may be permitted on a temporary basis subject to a Temporary Use By-law provided the following conditions are met: a) The water and sewage disposal services available on the site are designed and have the capacity to sustain the uses; b) The temporary residence is designed for removal following the expiration of the Temporary Use By-law; and c) The owner enters into an agreement and posts financial securities with the municipality to ensure the removal of the temporary residence and its associated uses following the expiration of the Temporary Use By-law.</p>	<p>A.1.3.2 <i>Garden suites</i> may be permitted on a temporary basis subject to a Temporary Use By-law provided the following conditions are met: a) The water and sewage disposal services available on the site are designed and have the capacity to sustain the uses; b) The temporary residence is designed for removal following the expiration of the Temporary Use By-law; and c) The owner enters into an agreement and posts financial securities with the municipality to ensure the removal of the temporary residence and its associated uses following the expiration of the Temporary Use By-law.</p>
<p>A.1.3.3 Notwithstanding Policies C.3.1.2 d) and C.3.1.4 c) of Volume 1, a <i>garden suite</i> or a <i>secondary dwelling unit</i> – detached shall not be permitted in the Rural Settlement Areas of Carlisle, Greensville, Freulton and Lynden until such time as the City: a) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address these uses; and, b) has developed and implemented appropriate policies and regulations for these uses.</p>	<p>A.1.3.3 Notwithstanding Policies C.3.1.2 d) and C.3.1.4 c) of Volume 1, a <i>garden suite</i> or a <i>secondary dwelling unit</i> shall not be permitted in the Rural Settlement Areas of Carlisle, Greensville, Freulton and Lynden until such time as the City: a) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address these uses; and, b) has developed and implemented appropriate policies and regulations for these uses.</p>
<p>A.3.13.3.1 Map 16 establishes the land use pattern of future <i>development</i> and redevelopment. There are three five land use categories: Settlement Residential, Settlement Commercial, Settlement Institutional, Neighbourhood Park and Natural Open Space (Hazard Lands).</p>	<p>A.3.13.3.1 Map 16 establishes the land use pattern of future <i>development</i> and redevelopment. There are five land use categories: Settlement Residential, Settlement Commercial, Settlement Institutional, Neighbourhood Park and Natural Open Space (Hazard Lands).</p>

Authority: Item 4, Planning Committee
Report: 22-005 (PED22046)
CM: April 13, 2022
Ward: City Wide

Bill No. 084

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 05-200 Respecting Modifications and Updates to the Administration, Definitions, General Provisions, Parking, Commercial and Mixed Use Zones, Industrial Zones, Rural Zones, Zoning Maps, Special Exceptions, Holding Provisions, and Special Figures

WHEREAS Council approved Item 4 of Report 22-005 of the Planning Committee, at its meeting held on April 13, 2022;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

AND WHEREAS this By-law conforms to the Rural Hamilton Official Plan upon the adoption of Rural Hamilton Official Plan Amendment No. 33

NOW THEREFORE Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Schedule “A” – Zoning Maps of Zoning By-law No. 05-200 be amended, the boundaries of which are shown on a plan hereto annexed as Schedules “A-1”, “A-2”, “A-3”, “A-4”, “A-5”, “A-6”, “A-7”, “A-8”, “A-9”, and “A10” to this By-law, as follows:
 - 1.1 That Map 79 is amended by changing the zoning from the Conservation / Hazard Land – Rural (P7) Zone to the Settlement Residential (S1) Zone for the lands located at 19 McDonald Street, attached as Schedule “A-1” to this By-law;
 - 1.2 That Map 1052 is amended by adding the Open Space (P4) Zone and the Conservation / Hazard Land (P5) Zone and changing the zoning from the Open Space (P4) Zone to the Conservation / Hazard Land (P5) Zone for the lands known as Green Millan Shore Estates, Stoney Creek, attached as Schedule “A-2” to this By-law;
 - 1.3 That Maps 1483 and 1530 are amended by changing the zoning from the General Business Park (M2, 451, 678) Zone to the General Business Park (M2, 678, 767) Zone for the lands located at 1295 Cormorant Road, Ancaster, attached as Schedule “A-3” to this By-law;

- 1.4 That Map 1184 is amended by adding the lands located at 171 Mohawk Road East, Hamilton, to Zoning By-law No. 05-200 and establishing the Neighbourhood Commercial (C2) Zone, attached as Schedule “A-4” to this By-law);
 - 1.5 That Map 106 is amended by adding lands located at 65 Oak Avenue, Flamborough, to Zoning By-law No. 05-200 and establishing the Settlement Residential (S1) Zone, and the Settlement Residential (S1, H125) Zone, attached as Schedule “A-5” to this By-law;
 - 1.6 That Map 860 is amended by changing the zoning from the Mixed Use Medium Density – Pedestrian Focus (C5a, 570) Zone to the Mixed Use Medium Density – Pedestrian Focus (C5a, 570, 775) Zone for the lands located at 112 King Street West, Dundas, attached as Schedule “A-6 to this By-law;
 - 1.7 That Maps 1291 and 1292 are amended by adding lands located at 389, 391, and 427 Limeridge Road East, Hamilton, to Zoning By-law No. 05-200 and establishing the Neighbourhood Institutional (I1, 776) Zone, and changing the zoning from the Mixed Use Medium Density (C5) Zone, to the Neighbourhood Institutional (I1, 776) Zone for a small portion of the lands, attached as Schedule “A-7” to this By-law;
 - 1.8 That Map 1150 is amended by changing the zoning from the Community Commercial (C3, 579) Zone to the Community Commercial (C3) Zone for the lands located at 821 – 825 North Service Road, Stoney Creek, attached as Schedule “A-8” to this By-law;
 - 1.9 That Map 1256 is amended by changing the zoning from the Prestige Business Park (M3) Zone to the Prestige Business Park (M3, 375) Zone, for the lands located at 333 McNeilly Road, Stoney Creek, attached as Schedule “A-9” to this By-law; and,
 - 1.10 That Maps 25 and 35 are amended by changing the zoning from the Settlement Residential (S1) Zone to the Settlement Residential (S1, 778) Zone for a portion of the lands located at 1609 & 1611 Brock Road, Flamborough, attached as Schedule “A-10” to this By-law.
2. That SECTION 1: ADMINISTRATION of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “A” of this By-law;
 3. That SECTION 3: DEFINITIONS of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “B” of this By-law;

4. That SECTION 4: GENERAL PROVISIONS of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “C” of this By-law;
5. That SECTION 5: PARKING of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “D” of this By-law;
6. That SECTION 9: INDUSTRIAL ZONES of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “E” of this By-law;
7. That SECTION 10: COMMERCIAL AND MIXED USE ZONES of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “F” of this By-law;
8. That SECTION 12: RURAL ZONES of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “G” of this By-law;
9. That SCHEDULE “C” – Special Exceptions of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “H” of this By-law;
10. That SCHEDULE “D” – Holding Provisions of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “I” of this By-law;
11. That Schedule “F” – Special Figures of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “J” of this By-law;
12. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*;
13. That for the purposes of the Building Code, this by-law or any part of it is not made until it has come into force as provided by Sections 34 and 36 of the *Planning Act*; and,
14. That this By-law comes into force in accordance with Sections 34 and 36 of the *Planning Act*.

PASSED this 13th day of April, 2022

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 22-C

Appendix “A” – Section 1: Administration		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
1.11c)i)	In addition to Section 1.11 c), the repair, restoration, or replacement of an existing porch, deck, balcony, unenclosed fire escape, or open stair of an existing Single Detached, Semi-Detached, or Duplex Dwelling shall be permitted, provided that such repair, restoration, or replacement will not increase the height, area or volume, or site coverage of such structure.	In addition to Section 1.11 c), the repair, restoration, or replacement of an existing porch, deck, balcony, unenclosed fire escape, or open stair of an existing Single Detached, Semi-Detached, or Duplex Dwelling shall be permitted, provided that such repair, restoration, or replacement will not increase the height, area or volume, or site coverage of such structure.
1.12 b)	Within the C1 to C7 Zones, a building permit may be issued to permit the erection of a building or structure in accordance with any minor variance, site specific zoning, site plan, consent, plan of subdivision or plan of condominium that has been approved or conditionally approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law No. 17-240 was passed by Council, provided the Building Permit Application complies with the Zoning By-law that affected the lot before By-law No. 17-240 came into effect. For the purposes of determining zoning conformity the following shall apply: i) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Subsection b) above. ii) Once the permit or approval under Subsection b) above, has been granted, the provisions of this By-law apply in all other respects to the land in question.	Within the C1 to C7 Zones, a building permit may be issued to permit the erection of a building or structure in accordance with any minor variance, site specific zoning, site plan, consent, plan of subdivision or plan of condominium that has been approved or conditionally approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law No. 17-240 was passed by Council, provided the Building Permit Application complies with the Zoning By-law that affected the lot before By-law No. 17-240 came into effect. For the purposes of determining zoning conformity the following shall apply: i) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Subsection b) above. ii) Once the permit or approval under Subsection b) above, has been granted, the provisions of this By-law apply in all other respects to the land in question.

Appendix “B” – Section 3: Definitions		
Term	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	Sales and Service Establishment, or a Motor Vehicle Wrecking Establishment.	
Planting Strip	Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or features, and fire hydrants, but shall not include charging stations, walkways, and sidewalks, and charging stations unless a walkway or sidewalk traverses the planting strip to provide access to the site.	Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or features, and fire hydrants, but shall not include charging stations, walkways, and sidewalks unless a walkway or sidewalk traverses the planting strip to provide access to the site.

Appendix “C” – Section 4: General Provisions		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
4.8a)	Unless otherwise provided for in this By-law, Accessory Buildings shall not be used for human habitation as a dwelling unit.	Unless otherwise provided for in this By-law, Accessory Buildings shall not be used as a dwelling unit.
4.17	All development in the City of Hamilton shall comply with the Hamilton Airport Zoning (Height) Regulations established by Transport Canada, which are registered at the local Land Titles Office and which may be amended from time to time. No projections shall be permitted beyond this maximum height.	All development in the City of Hamilton shall comply with the Hamilton Airport Zoning (Height) Regulations established by Transport Canada, which are registered at the local Land Titles Office and which may be amended from time to time. No projections shall be permitted beyond this maximum height.
4.21e)	A home business within a Dwelling Unit, Mixed Use (s) in Conjunction with a Commercial Use shall not be permitted.	A home business within a Dwelling Unit, Mixed Use shall not be permitted.
4.23d)	All buildings or structures located on a property shall have a minimum be setback a minimum of 7.5 metres from a P5, P7 and P8 Zone boundary, which is determined by flood and fill line mapping as prepared by the Conservation Authority having jurisdiction and amended from time to time.	All buildings or structures located on a property shall have a minimum setback of 7.5 metres from a P5, P7 and P8 Zone boundary, which is determined by flood and fill line mapping as prepared by the Conservation Authority having jurisdiction and amended from time to time.

Appendix “D” – Section 5: Parking			
Section	Proposed Change		Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
5.6 c)	Column 1	Column 2	Column 1
	i. Residential Uses		i. Residential Uses
	Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Dwelling Unit	1 per unit.	Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Dwelling Unit
	Dwelling Unit and Dwelling Unit, Mixed Use (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones) (By-law No. 16-264, October 12, 2016) (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017) (By-law No. 21-189, October 13, 2021)		Dwelling Unit and Dwelling Unit, Mixed Use (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones) (By-law No. 16-264, October 12, 2016) (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017) (By-law No. 21-189, October 13, 2021)
	i) Dwelling Units less than 50.0 square metres in gross floor area	0.3 per unit.	i) Dwelling Units less than 50.0 square metres in gross floor area
ii) Dwelling Units greater than 50.0 square metres in gross floor area	Minimum.	Maximum.	ii) Dwelling Units greater than 50.0 square metres in gross floor area
1 – 3 units	0.3 per unit.	1.25 per unit.	1 – 3 units

Appendix “D” – Section 5: Parking						
Section	Proposed Change			Proposed Revised Zone Regulation		
	4 – 14 units	0.7 per unit.	1.25 per unit.	4 – 14 units	0.7 per unit.	1.25 per unit.
	15 – 50 units	0.85 per unit.	1.25 per unit.	15 – 50 units	0.85 per unit.	1.25 per unit.
	51+ units	1.0 per unit.	1.25 per unit.	51+ units	1.0 per unit.	1.25 per unit.
	Multiple Dwelling, Street Townhouse Dwelling	1 per unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 per unit. (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017)		Multiple Dwelling, Street Townhouse Dwelling	1 per unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 per unit. (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017)	
	Multiple Dwelling (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones) (By-law No. 16-264, October 12, 2016) (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017)			Multiple Dwelling (Commercial and Mixed Use (C5) Zone and all Transit Oriented Corridor Zones) (By-law No. 16-264, October 12, 2016) (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017)		
	i) Dwelling Units less than 50.0 square metres in gross floor area	Minimum	Maximum	i) Dwelling Units less than 50.0 square metres in gross floor area	Minimum	Maximum
		0.3 per unit.	1.25 per unit.		0.3 per unit.	1.25 per unit.
	ii) Dwelling Units greater than 50.0 square metres in gross floor area	Minimum	Maximum	ii) Dwelling Units greater than 50.0 square metres in gross floor area	Minimum	Maximum
	1 – 14 units	0.7 per unit.	1.25 per unit.	1 – 14 units	0.7 per unit.	1.25 per unit.

Appendix “D” – Section 5: Parking						
Section	Proposed Change			Proposed Revised Zone Regulation		
	15 – 50 units	0.85 per unit.	1.25 per unit.	15 – 50 units	0.85 per unit.	1.25 per unit.
	51+ units	1.0 per unit.	1.25 per unit.	51+ units	1.0 per unit.	1.25 per unit.

Appendix “E” – Section 9 – Industrial Zones		
Section 9.8 – Airport Related Business (M8) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added	
9.8.1	<p>PERMITTED USES</p> <ul style="list-style-type: none"> • Catering Service • Commercial Motor Vehicle Sales, Rental and Service Establishment • Commercial Parking Facility • Conference or Convention Centre • Equipment and Machinery Sales, Rental and Service Establishment • Financial Establishment • Hotel • Labour Association Hall • Motor Vehicle Rental Establishment • Motor Vehicle Service Station • Motor Vehicle Dealership Sales and Service Establishment • Motor Vehicle Washing Establishment • Personal Services • Restaurant • Retail • Transportation Depot • Trade School 	<p>PERMITTED USES</p> <ul style="list-style-type: none"> • Catering Service • Commercial Motor Vehicle Sales, Rental and Service Establishment • Commercial Parking Facility • Conference or Convention Centre • Equipment and Machinery Sales, Rental and Service Establishment • Financial Establishment • Hotel • Labour Association Hall • Motor Vehicle Rental Establishment • Motor Vehicle Service Station • Motor Vehicle Dealership • Motor Vehicle Washing Establishment • Personal Services • Restaurant • Retail • Transportation Depot • Trade School

Appendix “G” – Section 12: Rural Zones				
Section 12.1 – Agriculture (A1) Zone				
Section 12.2 – Rural (A2) Zone				
Section	Proposed Change		Proposed Revised Zone Regulation	
Grey highlighted strikethrough text = text to be deleted			bolded text = text to be added	
12.1.3.2	<p>a) Uses Permitted as Secondary to Agriculture</p> <p>h) Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility</p>	<p>Agricultural Processing Establishment – Secondary</p> <p>Agricultural Research Operation</p> <p>Agritourism</p> <p>Home Industry</p> <p>Kennel</p> <p>Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility</p> <p>Landscape Contracting Establishment – Secondary</p> <p>i) Notwithstanding Sections 12.1.3.1 a), 12.1.3.2 b), and 4.12 d), an Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility shall only be permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0 hectares shall be used for the growing of grapes, fruits, hops or other produce directly associated with onsite beer, cider, or wine, or spirit production;</p> <p>ii) The total maximum building area</p>	<p>a) Uses Permitted as Secondary to Agriculture</p> <p>h) Agricultural Alcohol Production Facility</p>	<p>Agricultural Processing Establishment – Secondary</p> <p>Agricultural Research Operation</p> <p>Agritourism</p> <p>Home Industry</p> <p>Kennel</p> <p>Agricultural Alcohol Production Facility</p> <p>Landscape Contracting Establishment – Secondary</p> <p>i) Notwithstanding Sections 12.1.3.1 a), 12.1.3.2 b), and 4.12 d), an Agricultural Alcohol Production Facility shall only be permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0 hectares shall be used for the growing of grapes, fruits, hops or other produce directly associated with onsite beer, cider, wine, or spirit production;</p> <p>ii) The total maximum building area devoted to an</p>

Appendix “G” – Section 12: Rural Zones				
Section 12.1 – Agriculture (A1) Zone				
Section 12.2 – Rural (A2) Zone				
Section	Proposed Change		Proposed Revised Zone Regulation	
Grey highlighted strikethrough text = text to be deleted			bolded text = text to be added	
		<p>devoted to an Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.</p>		<p>Agricultural Alcohol Production Facility use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.</p>
12.2.3.2	<p>a) Uses Permitted as Secondary to Agriculture</p> <p>g) Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production</p>	<p>Agricultural Processing Establishment – Secondary</p> <p>Agricultural Research Operation</p> <p>Agritourism</p> <p>Home Industry</p> <p>Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility</p> <p>Landscape Contracting Establishment – Secondary</p> <p>i) Notwithstanding Sections 12.2.3.1 a), 12.2.3.2 b), and 4.12 d) an Agricultural Brewery/Cidery/Winery Agricultural Alcohol</p>	<p>a) Uses Permitted as Secondary to Agriculture</p> <p>g) Agricultural Alcohol Production Facility</p>	<p>Agricultural Processing Establishment – Secondary</p> <p>Agricultural Research Operation</p> <p>Agritourism</p> <p>Home Industry</p> <p>Agricultural Alcohol Production Facility</p> <p>Landscape Contracting Establishment – Secondary</p> <p>i) Notwithstanding Sections 12.2.3.1 a), 12.2.3.2 b), and 4.12 d) an Agricultural Alcohol Production Facility shall only be</p>

Appendix “G” – Section 12: Rural Zones		
Section 12.1 – Agriculture (A1) Zone		
Section 12.2 – Rural (A2) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
	<p>Facility</p> <p>Production Facility shall only be permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0 hectares shall be used for the growing production of grapes, fruits, hops or other produce directly associated with on-site beer, cider, or wine, or spirit production;</p> <p>ii) The total maximum building area devoted to an Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.</p>	<p>permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0 hectares shall be used for the growing of grapes, fruits, hops or other produce directly associated with on-site beer, cider, wine, or spirit production;</p> <p>ii) The total maximum building area devoted to an Agricultural Alcohol Production Facility use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.</p>

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted added</p>		<p>bolded text = text to be added</p>
<p>SE 66 2318 Wilson Street West, Ancaster</p>	<p>In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 157 of Schedule “A” – Zoning Maps and described as 2318 Wilson Street West, a Motor Vehicle Dealership Sales and Service Establishment shall also be permitted.</p>	<p>In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 157 of Schedule “A” – Zoning Maps and described as 2318 Wilson Street West, a Motor Vehicle Dealership Sales and Service Establishment shall also be permitted.</p>
<p>SE 187 400 Brock Road, Flamborough</p>	<p>Notwithstanding Section 12.7.1 and the definition of a Motor Vehicle Service Station found in Section 3 of this By-law, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 94 of Schedule “A” – Zoning Maps and described as 400 Brock Road, the following special provisions shall also apply:</p> <p>a) Only the following uses shall be permitted:</p> <ul style="list-style-type: none"> i) Manufacturing; ii) Motor Vehicle Collision Repair Establishment; iii) Motor Vehicle Service Station where the sale of fuel is prohibited; iv) Motor Vehicle Dealership Sales and Service Establishment; v) Towing Establishment; vi) Bulk Fuel and Oil Storage Establishment; and, vii) Transport Terminal. <p>b) The following uses shall be prohibited:</p> <ul style="list-style-type: none"> i) Abattoir; and, ii) Open Storage. 	<p>Notwithstanding Section 12.7.1 and the definition of a Motor Vehicle Service Station found in Section 3 of this By-law, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 94 of Schedule “A” – Zoning Maps and described as 400 Brock Road, the following special provisions shall also apply:</p> <p>a) Only the following uses shall be permitted:</p> <ul style="list-style-type: none"> viii) Manufacturing; ix) Motor Vehicle Collision Repair Establishment; x) Motor Vehicle Service Station where the sale of fuel is prohibited; xi) Motor Vehicle Dealership; xii) Towing Establishment; xiii) Bulk Fuel and Oil Storage Establishment; and, xiv) Transport Terminal. <p>b) The following uses shall be prohibited:</p> <ul style="list-style-type: none"> iii) Abattoir; and, iv) Open Storage.

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted added</p>		<p>bolded text = text to be</p>
<p>SE 216 850 Concession 6 West, Flamborough</p>	<p>In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 58 of Schedule “A” – Zoning Maps and described as part of 850 Concession 6 West, the following special provisions shall also apply:</p> <p>a) The following uses shall also be permitted:</p> <ul style="list-style-type: none"> i) Motor Vehicle Service Station repair shop, including body and fender repairs; and, ii) Motor Vehicle Dealership. sales. <p>b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).</p>	<p>In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 58 of Schedule “A” – Zoning Maps and described as part of 850 Concession 6 West, the following special provisions shall also apply:</p> <p>a) The following uses shall also be permitted:</p> <ul style="list-style-type: none"> iii) Motor Vehicle Service Station, including body and fender repairs; and, iv) Motor Vehicle Dealership. <p>b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).</p>
<p>SE 217 Part of 963 Regional Road 97, Flamborough</p>	<p>In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 24 and 25 of Schedule “A” – Zoning Maps and described as part of 963 Regional Road 97, the following special provisions shall also apply:</p> <p>a) The following uses shall also be permitted:</p> <ul style="list-style-type: none"> i) Motor Vehicle Service Station repair shop, ii) Motor Vehicle Dealership sales, excluding sale of new motor vehicles; and, iii) Salvage yard. 	<p>In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 24 and 25 of Schedule “A” – Zoning Maps and described as part of 963 Regional Road 97, the following special provisions shall also apply:</p> <p>a) The following uses shall also be permitted:</p> <ul style="list-style-type: none"> i) Motor Vehicle Service Station repair shop, ii) Motor Vehicle Dealership sales, excluding sale of new motor vehicles; and, iii) Salvage yard. <p>b) The uses identified in a) above shall be subject to the regulations contained</p>

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).	within Section 12.2.3.1 b), c), d), e), and g).
SE 224 557 Highway No. 5, Flamborough	In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 84 of Schedule “A” – Zoning Maps and described as 557 Highway No. 5, the following uses shall also be permitted: a) Commercial Motor Vehicle Sales, Rental and Service Establishment; b) fruit and vegetable market; c) Garden Centre; d) Motor Vehicle Dealership Sales and Service Establishment ; e) Manufacturing; and, f) Restaurant.	In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 84 of Schedule “A” – Zoning Maps and described as 557 Highway No. 5, the following uses shall also be permitted: a) Commercial Motor Vehicle Sales, Rental and Service Establishment; b) fruit and vegetable market; c) Garden Centre; d) Motor Vehicle Dealership; e) Manufacturing; and, f) Restaurant.
SE 302 883 and 999 Upper Wentworth Street and 508, 520 and 524 Limeridge Road East, Hamilton	Within the lands zoned Mixed Use High density (C4) Zone, identified on Maps 1239 and 1292 of Schedule “A” – Zoning Maps and described as 883 and 999 Upper Wentworth Street and 508, 520 and 524 Limeridge Road East, shown as Figure 10 Figure 25 of Schedule “F” – Special Figures, the following special provisions shall apply: d) For the purposes of Special Exception No.302 the following special regulations shall apply to Areas A to E, as shown on Figure 10 Figure 25 of Schedule “F” – Special Figures e) For the purposes of Special Exception No. 302 the following special regulations shall apply to Areas A to D as shown on	Within the lands zoned Mixed Use High density (C4) Zone, identified on Maps 1239 and 1292 of Schedule “A” – Zoning Maps and described as 883 and 999 Upper Wentworth Street and 508, 520 and 524 Limeridge Road East, shown as Figure 25 of Schedule “F” – Special Figures, the following special provisions shall apply: d) For the purposes of Special Exception No.302 the following special regulations shall apply to Areas A to E, as shown on Figure 25 of Schedule “F” – Special Figures e) For the purposes of Special Exception No. 302 the following special regulations shall apply to Areas A to D as shown on

Appendix “H” – Schedule “C” Special Exceptions																													
SE / Address	Proposed Change	Proposed Revised Zone Regulation																											
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	<p>Figure 10 Figure 25 of Schedule “F” – Special Figures</p> <p>iii) The ground floor façade facing a front lot line and access driveway to the site shall be greater than or equal to 50% of the measurement of the width identified for Area A1 to D in Figure 10 Figure 25 for buildings greater than 1,000 square metres and shall exclude access driveways and lands within a required yard.</p> <p>f) For the purposes of Special Exception No. 302 the following special regulations shall apply to Area E as shown on Figure 10 Figure 25 of Schedule “F” – Special Figures:</p>	<p>Figure 25 of Schedule “F” – Special Figures</p> <p>iii) The ground floor façade facing a front lot line and access driveway to the site shall be greater than or equal to 50% of the measurement of the width identified for Area A1 to D in Figure 25 for buildings greater than 1,000 square metres and shall exclude access driveways and lands within a required yard.</p> <p>f) For the purposes of Special Exception No. 302 the following special regulations shall apply to Area E as shown on Figure 25 of Schedule “F” – Special Figures:</p>																											
SE 304	<p>Within the lands zoned Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 482, 860, 903, 912, 947, 956, 958, 1039, 1042, 1085, 1136, 1175, 1234, 1238, 1251, 1287, 1291, 1302, 1389, 1398, 1502 and 1956 of Schedule “A” – Zoning Maps and described as:</p> <table border="1"> <thead> <tr> <th>Property Address</th> <th>Map Number</th> </tr> </thead> <tbody> <tr> <td>925 Barton Street East</td> <td>956</td> </tr> <tr> <td>19 Flamboro Street</td> <td>482</td> </tr> <tr> <td>Part of 18-64 Hamilton Street North</td> <td>482</td> </tr> <tr> <td>473-489 Upper Wellington Street</td> <td>1039 and 1085</td> </tr> <tr> <td>139 and 141 Oak Avenue</td> <td>912</td> </tr> <tr> <td>902 Main Street East</td> <td>1042</td> </tr> </tbody> </table>	Property Address	Map Number	925 Barton Street East	956	19 Flamboro Street	482	Part of 18-64 Hamilton Street North	482	473-489 Upper Wellington Street	1039 and 1085	139 and 141 Oak Avenue	912	902 Main Street East	1042	<p>Within the lands zoned Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 482, 860, 903, 912, 947, 956, 958, 1039, 1042, 1085, 1136, 1175, 1234, 1238, 1251, 1287, 1291, 1302, 1389, 1398, 1502 and 1956 of Schedule “A” – Zoning Maps and described as:</p> <table border="1"> <thead> <tr> <th>Property Address</th> <th>Map Number</th> </tr> </thead> <tbody> <tr> <td>925 Barton Street East</td> <td>956</td> </tr> <tr> <td>19 Flamboro Street</td> <td>482</td> </tr> <tr> <td>Part of 18-64 Hamilton Street North</td> <td>482</td> </tr> <tr> <td>473-489 Upper Wellington Street</td> <td>1039 and 1085</td> </tr> <tr> <td>139 and 141 Oak Avenue</td> <td>912</td> </tr> </tbody> </table>		Property Address	Map Number	925 Barton Street East	956	19 Flamboro Street	482	Part of 18-64 Hamilton Street North	482	473-489 Upper Wellington Street	1039 and 1085	139 and 141 Oak Avenue	912
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Appendix “H” – Schedule “C” Special Exceptions			
SE / Address	Proposed Change		Proposed Revised Zone Regulation
Grey highlighted strikethrough text		bolded text = text to be added	
	386 Upper Gage Avenue and 63 East 39 th Street	1136	902 Main Street East 1042
	283 and 289 Highway No. 8	1251	386 Upper Gage Avenue and 63 East 39 th Street 1136
	889 Upper Paradise Road	1234 and 1287	283 and 289 Highway No. 8 1251
	200 King Street West	860	889 Upper Paradise Road 1234 and 1287
	121 King Street West	860	200 King Street West 860
	134, 138 King Street West	860	121 King Street West 860
	40 16 Foundry Street	860	134, 138 King Street West 860
	1 Osler Drive	903	16 Foundry Street 860
	1655 Main Street West	947	1 Osler Drive 903
	407, 413 Wilson Street East	1175	1655 Main Street West 947
	82 King Street East	1302 and 1249	407, 413 Wilson Street East 1175
	605 Garner Road East	1389	82 King Street East 1302 and 1249
	136-146 Upper Mount Albion Road	1502	605 Garner Road East 1389
	3194 Regional Road 56	1956	136-146 Upper Mount Albion Road 1502
	517 Kenilworth Avenue North	958	3194 Regional Road 56 1956
	209 and 221 Limeridge Road East	1238 and 1291	517 Kenilworth Avenue North 958
	902 Main Street East	1042	209 and 221 Limeridge Road 1238 and 1291
	92 Stapleton Avenue	958	902 Main Street East 1042
	1368 Upper Gage Avenue	1398	92 Stapleton Avenue 958
			1368 Upper Gage Avenue 1398
SE 339 45 Goderich Road, Hamilton	Within the these lands zoned Arterial Commercial (C7) Zone, identified on Map 1048 of Schedule “A” – Zoning Maps and described as 45 Goderich Road, the following special provisions shall apply: a) In addition to Subsection 10.7.1, the following uses shall also be permitted: i) Medical Clinic ii) Office iii) Retail		Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1048 of Schedule “A” – Zoning Maps and described as 45 Goderich Road, the following special provisions shall apply: a) In addition to Subsection 10.7.1, the following uses shall also be permitted: i) Medical Clinic ii) Office iii) Retail

Appendix “H” – Schedule “C” Special Exceptions																						
SE / Address	Proposed Change	Proposed Revised Zone Regulation																				
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added																				
SE 375 Various properties	<p>375. Within the lands zoned Prestige Business Park (M3) Zone, General Industrial (M5) Zone, and Light Industrial (M6) Zone, identified on Maps 829, 870, 871, 912, 913, 914, 915, 956, 957, 958, 959, 1147, 1198, 1199, and 1256 of Schedule “A” – Zoning Maps and described as:</p> <table border="1"> <thead> <tr> <th>Property Address</th> <th>Map Number</th> </tr> </thead> <tbody> <tr> <td>1-18, 20, 22-37, 39, 41, 43 Albemarle Street</td> <td>915, 956, 957</td> </tr> <tr> <td>362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 385-387, 393, 395, 397, 399 Avondale Street</td> <td>914, 915, 956, 957</td> </tr> <tr> <td>481 Barton Street East</td> <td>1147, 1198, 1199</td> </tr> <tr> <td>31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 59, 61, 63, 65, 67, 69, 73, 75, 77, 79, 81, 83, 89, 91, 93, 104, 105, 107-113, 116-118, 120, 122, 124, 126, 128, 130, 132, 136, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160-164, 166, 167, 169, 172, 173, 175-177, 179-182, 184, 186, 188, 190, 192, 194, 195, 203, 205, 207, 211, 213, 215, 217, 219, 221, 223, 227, 229, 233, 237, 240, 243, 252, 254, 263, 264, 266, 267, 269-275, 526, 528, 530, 532, 534, 544, 548, 554, 560, 568 Beach Road</td> <td>914, 956, 957, 958, 959</td> </tr> </tbody> </table>	Property Address	Map Number	1-18, 20, 22-37, 39, 41, 43 Albemarle Street	915, 956, 957	362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 385-387, 393, 395, 397, 399 Avondale Street	914, 915, 956, 957	481 Barton Street East	1147, 1198, 1199	31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 59, 61, 63, 65, 67, 69, 73, 75, 77, 79, 81, 83, 89, 91, 93, 104, 105, 107-113, 116-118, 120, 122, 124, 126, 128, 130, 132, 136, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160-164, 166, 167, 169, 172, 173, 175-177, 179-182, 184, 186, 188, 190, 192, 194, 195, 203, 205, 207, 211, 213, 215, 217, 219, 221, 223, 227, 229, 233, 237, 240, 243, 252, 254, 263, 264, 266, 267, 269-275, 526, 528, 530, 532, 534, 544, 548, 554, 560, 568 Beach Road	914, 956, 957, 958, 959	<p>375. Within the lands zoned Prestige Business Park (M3) Zone, General Industrial (M5) Zone, and Light Industrial (M6) Zone, identified on Maps 829, 870, 871, 912, 913, 914, 915, 956, 957, 958, 959, 1147, 1198, 1199, and 1256 of Schedule “A” – Zoning Maps and described as:</p> <table border="1"> <thead> <tr> <th>Property Address</th> <th>Map Number</th> </tr> </thead> <tbody> <tr> <td>1-18, 20, 22-37, 39, 41, 43 Albemarle Street</td> <td>915, 956, 957</td> </tr> <tr> <td>362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 385-387, 393, 395, 397, 399 Avondale Street</td> <td>914, 915, 956, 957</td> </tr> <tr> <td>481 Barton Street East</td> <td>1147, 1198, 1199</td> </tr> <tr> <td>31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 59, 61, 63, 65, 67, 69, 73, 75, 77, 79, 81, 83, 89, 91, 93, 104, 105, 107-113, 116-118, 120, 122, 124, 126, 128, 130, 132, 136, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160-164, 166, 167, 169, 172, 173, 175-177, 179-182, 184, 186, 188, 190, 192, 194, 195, 203, 205, 207, 211, 213, 215, 217, 219, 221, 223, 227, 229, 233, 237, 240, 243, 252, 254, 263, 264, 266, 267, 269-275, 526, 528, 530, 532, 534, 544, 548, 554, 560, 568 Beach Road</td> <td>914, 956, 957, 958, 959</td> </tr> </tbody> </table>	Property Address	Map Number	1-18, 20, 22-37, 39, 41, 43 Albemarle Street	915, 956, 957	362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 385-387, 393, 395, 397, 399 Avondale Street	914, 915, 956, 957	481 Barton Street East	1147, 1198, 1199	31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 59, 61, 63, 65, 67, 69, 73, 75, 77, 79, 81, 83, 89, 91, 93, 104, 105, 107-113, 116-118, 120, 122, 124, 126, 128, 130, 132, 136, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160-164, 166, 167, 169, 172, 173, 175-177, 179-182, 184, 186, 188, 190, 192, 194, 195, 203, 205, 207, 211, 213, 215, 217, 219, 221, 223, 227, 229, 233, 237, 240, 243, 252, 254, 263, 264, 266, 267, 269-275, 526, 528, 530, 532, 534, 544, 548, 554, 560, 568 Beach Road	914, 956, 957, 958, 959
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Appendix “H” – Schedule “C” Special Exceptions			
SE / Address	Proposed Change		Proposed Revised Zone Regulation
Grey highlighted strikethrough text		bolded text = text to be added	
	3, 8-10, 12-15, 20, 22 Beatty Avenue	958	233, 237, 240, 243, 252, 254, 263, 264, 266, 267, 269-275, 526, 528, 530, 532, 534, 544, 548, 554, 560, 568 Beach Road
	2, 4, 8, 16 Birmingham Street	914	3, 8-10, 12-15, 20, 22 Beatty Avenue
	450, 517, 520, 539, 553, 555, 561, 563, 569, 571, 573, 577 Burlington Street East	971	2, 4, 8, 16 Birmingham Street
	29, 43, 110, 112, 114, 116, 118, 120, 122, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166 Burton Street	870, 912	450, 517, 520, 539, 553, 555, 561, 563, 569, 571, 573, 577 Burlington Street East
	83, 85, 87, 89, 91-105 Cheever Street	912	29, 43, 110, 112, 114, 116, 118, 120, 122, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 166 Burton Street
	3, 16, 18, 20, 22, 24, 32, 36 Clark Avenue	870, 912	83, 85, 87, 89, 91-105 Cheever Street
	5-7, 21, 23, 25, 27, 29-31, 33, 35, 37, 39, 40, 45, 47-49 Depew Street	915, 957	3, 16, 18, 20, 22, 24, 32, 36 Clark Avenue
	12-22, 24-28, 30, 31, 33 Dickson Street	871	5-7, 21, 23, 25, 27, 29-31, 33, 35, 37, 39, 40, 45, 47-49 Depew Street
	6, 8, 10, 16 Douglas Avenue	912	12-22, 24-28, 30, 31, 33 Dickson Street
	350, 353, 360, 362, 364, 366, 368, 373, 375, 377, 391, 393, 395 Emerald Street North	870, 912	6, 8, 10, 16 Douglas Avenue
	304, 322, 332, 334, 337, 342, 344, 348, 350, 352, 357 Gage Avenue North	914, 956	350, 353, 360, 362, 364, 366, 368, 373, 375, 377, 391, 393, 395 Emerald Street North
	3, 17, 20, 22, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43-58, 60, 62, 64, 66, 69, 70, 72-79, 81-84, 86, 87-95, 97, 99, 101-103, 105, 107, 109, 113, 115 Gertrude Street	914, 915, 957	12-22, 24-28, 30, 31, 33 Dickson Street
	5, 59, 61, 63, 65-71, 73-75, 78, 79, 81, 91, 93,	871, 913	6, 8, 10, 16 Douglas Avenue
			350, 353, 360, 362, 364, 366, 368, 373, 375, 377, 391, 393, 395 Emerald Street North
			304, 322, 332, 334, 337, 342, 344, 348, 350, 352, 357 Gage Avenue North

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SE / Address	Proposed Change		Proposed Revised Zone Regulation	
Grey highlighted strikethrough text = text to be deleted			bolded text = text to be added	
	95, 97-99, 101-103, 105, 107, 109, 111, 113, 115-119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141 Hillyard Street		3, 17, 20, 22, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43-58, 60, 62, 64, 66, 69, 70, 72-79, 81-84, 86, 87-95, 97, 99, 101-103, 105, 107, 109, 113, 115 Gertrude Street	914, 915, 957
	1, 3, 5, 7, 9, 11, 13, 15-17, 19-21, 23, 25, 34, 36, 38, 40, 42 Land Street	915, 957		
	1, 4-12, 14-16, 18, 19, 21-24, 26-28, 30-37 Lyndhurst Street	915, 957	5, 59, 61, 63, 65-71, 73-75, 78, 79, 81, 91, 93, 95, 97-99, 101-103, 105, 107, 109, 111, 113, 115-119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141 Hillyard Street	871, 913
	2, 6, 8, 10, 16, 20, 22, 24-27, 30, 31, 35, 36, 38-41, 43, 45 Macallum Street	870, 871		
	17, 23, 25, 27, 29, 31 McKinstry Street	871		
	333 McNeilly Road	1256		
	52, 56, 58, 60, 64 Munroe Street	913	1, 3, 5, 7, 9, 11, 13, 15-17, 19-21, 23, 25, 34, 36, 38, 40, 42 Land Street	915, 957
	66, 67, 69-71, 73-76, 78, 82, 84, 86, 88, 98, 99, 102-104, 106-110, 112-131, 133-135, 137, 139, 141, 143, 152, 163, 167, 171 Niagara Street	829, 871	1, 4-12, 14-16, 18, 19, 21-24, 26-28, 30-37 Lyndhurst Street	915, 957
	2, 4, 10, 12, 20, 26, 28, 32 Northcote Street	957	2, 6, 8, 10, 16, 20, 22, 24-27, 30, 31, 35, 36, 38-41, 43, 45 Macallum Street	870, 871
	1 Norton Street	914		
	5 Roadway	871, 914, 915, 956, 957	17, 23, 25, 27, 29, 31 McKinstry Street	871
	1, 2, 4, 6, 8 Roosevelt Avenue	958	333 McNeilly Road	1256
	1, 3, 5-20, 22-25, 27-29, 31, 33, 35-37 Rowanwood Street	957	52, 56, 58, 60, 64 Munroe Street	913
	15, 17, 20-27, 29-36, 38, 40, 48, 50, 52, 56, 58, 60, 64, 65, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89,	912, 913	66, 67, 69-71, 73-76, 78, 82, 84, 86, 88, 98, 99, 102-104, 106-110, 112-131, 133-135, 137, 139,	829, 871

Appendix “H” – Schedule “C” Special Exceptions				
SE / Address	Proposed Change		Proposed Revised Zone Regulation	
Grey highlighted strikethrough text		bolded text = text to be added		
	91, 93, 95, 97, 99, 103, 107, 109, 111, 113, 115, 117-119, 170, 175 Shaw Street		141, 143, 152, 163, 167, 171 Niagara Street	
	366, 390, 400 Victoria Avenue North	870, 912	2, 4, 10, 12, 20, 26, 28, 32 Northcote Street	
	335, 517, 519, 521, 527, 529, 531, 533, 536, 540, 560, 562, 564, 566, 568, 570, 572, 574, 578, 580, 582, 584, 600, 610, 612, 618 Wentworth Street North	829, 871, 912, 913	1 Norton Street	
	2, 4, 6, 8, 10-25, 27, 28, 30, 32, 34, 36, 38, 40 44, 46-48, 50 Whitfield Avenue	914	5 Roadway	
<p>The following special provisions shall apply:</p> <p>a) In addition to Subsections 9.3.1, 9.5.1 and 9.6.1, and notwithstanding Subsections 9.3.2 ii), 9.5.2 and 9.6.2 ii), the legally established residential uses existing on the date of passing of this By-law (May 26, 2010) shall also be permitted.</p> <p>b) In addition to clause a), a Secondary Dwelling Unit may be permitted within a legally established single detached dwelling, semi-detached dwelling, street townhouse, or block townhouse dwelling existing as of May 26, 2010 and shall be in accordance with Section 4.33 of the By-law.</p>			1, 2, 4, 6, 8 Roosevelt Avenue	
			1, 3, 5-20, 22-25, 27-29, 31, 33, 35-37 Rowanwood Street	
			15, 17, 20-27, 29-36, 38, 40, 48, 50, 52, 56, 58, 60, 64, 65, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 103, 107, 109, 111, 113, 115, 117-119, 170, 175 Shaw Street	
			366, 390, 400 Victoria Avenue North	
			335, 517, 519, 521, 527, 529, 531, 533, 536, 540, 560, 562, 564, 566, 568, 570, 572, 574, 578, 580, 582, 584, 600, 610, 612, 618 Wentworth Street North	
			2, 4, 6, 8, 10-25, 27, 28, 30, 32, 34, 36, 38, 40 44, 46-48, 50 Whitfield Avenue	
		The following special provisions shall apply:		

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>c) Notwithstanding Subsections 9.3.3, 9.5.3 and 9.6.3, the following regulations shall apply to the use permitted in Clause a):</p> <p>i) Minimum Front Yard 6.0 metres</p> <p>Maximum Building Height 14.0 metres</p> <p>iii) Minimum Side Yard 0.6 metres</p> <p>iv) Minimum Rear Yard 7.5 metres</p> <p>v) Accessory buildings shall be subject to Subsection 4.8.1</p>	<p>a) In addition to Subsections 9.3.1, 9.5.1 and 9.6.1, and notwithstanding Subsections 9.3.2 ii), 9.5.2 and 9.6.2 ii), the legally established residential uses existing on the date of passing of this By-law (May 26, 2010) shall also be permitted.</p> <p>b) In addition to clause a), a Secondary Dwelling Unit may be permitted within a legally established single detached dwelling, semi-detached dwelling, street townhouse, or block townhouse dwelling existing as of May 26, 2010 and shall be in accordance with Section 4.33 of the By-law.</p> <p>c) Notwithstanding Subsections 9.3.3, 9.5.3 and 9.6.3, the following regulations shall apply to the use permitted in Clause a):</p> <p>i) Minimum Front Yard 6.0 metres</p> <p>Maximum Building Height 14.0 metres</p> <p>iii) Minimum Side Yard 0.6 metres</p> <p>iv) Minimum Rear Yard 7.5 metres</p> <p>v) Accessory buildings shall be subject to Subsection 4.8.1</p>

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
SE 383 0 Portia Drive, Ancaster	383 In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1433 and 1482 of Schedule “A” – Zoning Maps and described as 0 Portia Drive, the following uses shall also be permitted: a. Motor Vehicle Sales and Service Establishment b. Veterinary Service c. Retail d. Farm Product Supply Dealer e. Major Recreational Vehicle Sales and Service Establishment	
SE 384 0 Portia Drive, Ancaster	384 In addition to the Regulations of Section 9.3.3, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1433 of Schedule “A” – Zoning Maps and described as 0 Portia Drive, the Minimum Rear Yard shall be 15.0 metres	
SE 451 1295 Cormorant Road, Ancaster	SE 451 SE 767	SE 767
SE 451 108 James Street North and 111 and 115 Hughson Street North, Hamilton	Notwithstanding Sections 6.2.3 of this By-law, within the lands zoned Downtown Prime Retail Streets (D2, 451) Zone, identified on Maps 910 and 911 of Schedule “A” – Zoning Maps, and described as 108 James Street North and 111 and 115 Hughson Street North, and as further detailed and informed through attached	Notwithstanding Sections 6.2.3 of this By-law, within the lands zoned Downtown Prime Retail Streets (D2, 451) Zone, identified on Maps 910 and 911 of Schedule “A” – Zoning Maps, and described as 108 James Street North and 111 and 115 Hughson Street North, and as further detailed and informed

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	Concept Plan (Schedule “F” – Figure 5 Figure 17), the following special provisions shall apply:	through attached Concept Plan (Schedule “F” – Figure 17), the following special provisions shall apply:																																																																																																								
SE 579 Various properties	<p>Within the lands zoned Neighbourhood Commercial (C2) Zone and Community Commercial (C3) Zone, identified on Maps 1100, 1145, 1146, 1150, 1185, 1194, 1196, 1198, 1199, 1205, 1247, 1248, 1249, 1251, 1252, 1259, 1260, 1305, 1306, 1403, 1405, 1454, 1503 and 1640 of Schedule “A” – Zoning Maps and described as:</p> <table border="1"> <thead> <tr> <th>Property Address</th> <th>Map Number</th> </tr> </thead> <tbody> <tr><td>168 Barton Street</td><td>1145</td></tr> <tr><td>178 Barton Street</td><td>1145</td></tr> <tr><td>188 Barton Street</td><td>1145</td></tr> <tr><td>198 Barton Street</td><td>1145</td></tr> <tr><td>210 Barton Street</td><td>1145</td></tr> <tr><td>214 Barton Street</td><td>1145</td></tr> <tr><td>232 Barton Street</td><td>1146</td></tr> <tr><td>274 Barton Street</td><td>1146</td></tr> <tr><td>276 Barton Street</td><td>1146</td></tr> <tr><td>386 Barton Street</td><td>1198</td></tr> <tr><td>412 Barton Street</td><td>1198</td></tr> <tr><td>520 Barton Street</td><td>1199</td></tr> <tr><td>2800 Barton Street East</td><td>1145</td></tr> <tr><td>2806 Barton Street East</td><td>1145</td></tr> <tr><td>2814 Barton Street East</td><td>1145</td></tr> <tr><td>2820 Barton Street East</td><td>1145</td></tr> <tr><td>2824 Barton Street East</td><td>1145</td></tr> <tr><td>2842 Barton Street East</td><td>1145</td></tr> <tr><td>1365 Baseline Road</td><td>1259</td></tr> <tr><td>1367 Baseline Road</td><td>1259</td></tr> <tr><td>92 Centennial Parkway South</td><td>1194</td></tr> <tr><td>500 Fifty Road</td><td>1259 and 1260</td></tr> <tr><td>518 Fruitland Road</td><td>1100</td></tr> <tr><td>110 Gordon Drummond Avenue</td><td>1503</td></tr> <tr><td>288 Grays Road</td><td>1145</td></tr> </tbody> </table>	Property Address	Map Number	168 Barton Street	1145	178 Barton Street	1145	188 Barton Street	1145	198 Barton Street	1145	210 Barton Street	1145	214 Barton Street	1145	232 Barton Street	1146	274 Barton Street	1146	276 Barton Street	1146	386 Barton Street	1198	412 Barton Street	1198	520 Barton Street	1199	2800 Barton Street East	1145	2806 Barton Street East	1145	2814 Barton Street East	1145	2820 Barton Street East	1145	2824 Barton Street East	1145	2842 Barton Street East	1145	1365 Baseline Road	1259	1367 Baseline Road	1259	92 Centennial Parkway South	1194	500 Fifty Road	1259 and 1260	518 Fruitland Road	1100	110 Gordon Drummond Avenue	1503	288 Grays Road	1145	<p>Within the lands zoned Neighbourhood Commercial (C2) Zone and Community Commercial (C3) Zone, identified on Maps 1100, 1145, 1146, 1185, 1194, 1196, 1198, 1199, 1205, 1247, 1248, 1249, 1251, 1252, 1259, 1260, 1305, 1306, 1403, 1405, 1454, 1503 and 1640 of Schedule “A” – Zoning Maps and described as:</p> <table border="1"> <thead> <tr> <th>Property Address</th> <th>Map Number</th> </tr> </thead> <tbody> <tr><td>168 Barton Street</td><td>1145</td></tr> <tr><td>178 Barton Street</td><td>1145</td></tr> <tr><td>188 Barton Street</td><td>1145</td></tr> <tr><td>198 Barton Street</td><td>1145</td></tr> <tr><td>210 Barton Street</td><td>1145</td></tr> <tr><td>214 Barton Street</td><td>1145</td></tr> <tr><td>232 Barton Street</td><td>1146</td></tr> <tr><td>274 Barton Street</td><td>1146</td></tr> <tr><td>276 Barton Street</td><td>1146</td></tr> <tr><td>386 Barton Street</td><td>1198</td></tr> <tr><td>412 Barton Street</td><td>1198</td></tr> <tr><td>520 Barton Street</td><td>1199</td></tr> <tr><td>2800 Barton Street East</td><td>1145</td></tr> <tr><td>2806 Barton Street East</td><td>1145</td></tr> <tr><td>2814 Barton Street East</td><td>1145</td></tr> <tr><td>2820 Barton Street East</td><td>1145</td></tr> <tr><td>2824 Barton Street East</td><td>1145</td></tr> <tr><td>2842 Barton Street East</td><td>1145</td></tr> <tr><td>1365 Baseline Road</td><td>1259</td></tr> <tr><td>1367 Baseline Road</td><td>1259</td></tr> <tr><td>92 Centennial Parkway South</td><td>1194</td></tr> <tr><td>500 Fifty Road</td><td>1259 and 1260</td></tr> <tr><td>518 Fruitland Road</td><td>1100</td></tr> <tr><td>110 Gordon Drummond Avenue</td><td>1503</td></tr> <tr><td>288 Grays Road</td><td>1145</td></tr> </tbody> </table>	Property Address	Map Number	168 Barton Street	1145	178 Barton Street	1145	188 Barton Street	1145	198 Barton Street	1145	210 Barton Street	1145	214 Barton Street	1145	232 Barton Street	1146	274 Barton Street	1146	276 Barton Street	1146	386 Barton Street	1198	412 Barton Street	1198	520 Barton Street	1199	2800 Barton Street East	1145	2806 Barton Street East	1145	2814 Barton Street East	1145	2820 Barton Street East	1145	2824 Barton Street East	1145	2842 Barton Street East	1145	1365 Baseline Road	1259	1367 Baseline Road	1259	92 Centennial Parkway South	1194	500 Fifty Road	1259 and 1260	518 Fruitland Road	1100	110 Gordon Drummond Avenue	1503	288 Grays Road	1145
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Appendix “H” – Schedule “C” Special Exceptions

SE / Address	Proposed Change	Proposed Revised Zone Regulation
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~~Grey highlighted strikethrough text~~ = text to be deleted
 added

bolded text = text to be added

	294 Grays Road	1145	294 Grays Road	1145	
	298 Grays Road	1145	298 Grays Road	1145	
	302 Grays Road	1145	302 Grays Road	1145	
	304 Grays Road	1145	304 Grays Road	1145	
	305 Grays Road	1145	305 Grays Road	1145	
	308 Grays Road	1145	308 Grays Road	1145	
	309 Grays Road	1145	309 Grays Road	1145	
	312 Grays Road	1145	312 Grays Road	1145	
	316 Grays Road	1145	316 Grays Road	1145	
	80 Green Mountain Road	1405	80 Green Mountain Road	1405	
	364 Highway 8	1251	364 Highway 8	1251	
	410 Highway 8	1252	410 Highway 8	1252	
	411 Highway 8	1252	411 Highway 8	1252	
	418 Highway 8	1252	418 Highway 8	1252	
	419 Highway 8	1252	419 Highway 8	1252	
	420 Highway 8	1252	420 Highway 8	1252	
	421 Highway 8	1252	421 Highway 8	1252	
	423 Highway 8	1252	423 Highway 8	1252	
	424 Highway 8	1252	424 Highway 8	1252	
	426 Highway 8	1252	426 Highway 8	1252	
	427 Highway 8	1252	427 Highway 8	1252	
	430 Highway 8	1252	430 Highway 8	1252	
	432 Highway 8	1252	432 Highway 8	1252	
	436 Highway 8	1252	436 Highway 8	1252	
	438 Highway 8	1252	438 Highway 8	1252	
	440 Highway 8	1252	440 Highway 8	1252	
	446 Highway 8	1252	446 Highway 8	1252	
	448, 450 Highway 8	1252	448, 450 Highway 8	1252	
	452 Highway 8	1252	452 Highway 8	1252	
	454 Highway 8	1252 and 1305	454 Highway 8	1252 and 1305	
	466 Highway 8	1252 and 1305	466 Highway 8	1252 and 1305	
	483 Highway 8	1252	483 Highway 8	1252	
	171 Margaret Avenue	1252	171 Margaret Avenue	1252	
	173 Margaret Avenue	1252	173 Margaret Avenue	1252	
	520 Highway 8	1305	520 Highway 8	1305	
	521 Highway 8	1252 and 1305	521 Highway 8	1252 and 1305	
	538 Highway 8	1305	538 Highway 8	1305	
	542, 548 Highway 8	1305 and 1306	542, 548 Highway 8	1305 and 1306	
	570 Highway 8	1306	570 Highway 8	1306	
	604 Highway 8	1306	604 Highway 8	1306	

Appendix “H” – Schedule “C” Special Exceptions					
SE / Address	Proposed Change		Proposed Revised Zone Regulation		
<p>Grey highlighted strikethrough text = text to be deleted added</p>			<p>bolded text = text to be added</p>		
	100 King Street West	1248	100 King Street West	1248	
	102 King Street West	1247 and 1248	102 King Street West	1247 and 1248	
	30 Lake Avenue Drive	1248 and 1249	30 Lake Avenue Drive	1248 and 1249	
	32 Lake Avenue Drive	1248 and 1249	32 Lake Avenue Drive	1248 and 1249	
	36 Lake Avenue Drive	1248 and 1249	36 Lake Avenue Drive	1248 and 1249	
	3 Lockport Way	1260	3 Lockport Way	1260	
	15 Lockport Way	1260	15 Lockport Way	1260	
	256, 270, 276, 280, 284, 288, 294, 300 Mud Street West	1454	256, 270, 276, 280, 284, 288, 294, 300 Mud Street West	1454	
	74 Neil Avenue	1194	74 Neil Avenue	1194	
	Part of 821 North Service Road	1150	1050 Paramount Drive	1403 and 1454	
	1050 Paramount Drive	1403 and 1454	Part of 2157 Rymal Road and Concession 8 Pt Lot 27 SLT SC RP 62R15203	1596 and 1640	
	Part of 2157 Rymal Road and Concession 8 Pt Lot 27 SLT SC RP 62R15203	1596 and 1640	136 – 146 Upper Mount Albion Road	1502	
	136 – 146 Upper Mount Albion Road	1502	775-779 Upper Wentworth Street	1185 and 1239	
	775-779 Upper Wentworth Street	1185 and 1239	524, 526, 530 Winona Road	1205	
	524, 526, 530 Winona Road	1205			
SE 633 75 Centennial Parkway North (Eastgate Square), Hamilton	Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142, 1143, and 1194 of Schedule “A” – Zoning Maps, and described as 75 Centennial Parkway North (Eastgate Square), shown as Figure 11 Figure 18 of Schedule “F” – Special Figures, the following special provisions shall also apply: a) The lands described as 75 Centennial Parkway North (Eastgate Square), as shown as Figure 11 Figure 18 of Schedule “F” – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or		Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142, 1143, and 1194 of Schedule “A” – Zoning Maps, and described as 75 Centennial Parkway North (Eastgate Square), shown as Figure 18 of Schedule “F” – Special Figures, the following special provisions shall also apply: a) The lands described as 75 Centennial Parkway North (Eastgate Square), as shown as Figure 18 of Schedule “F” – Special Figures shall be considered as one Corner Lot for zoning purposes,		

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted</p>		<p>bolded text = text to be added</p>
	<p>division of the lot.</p> <p>c) For the purposes of Special Exception No. 633, the following provisions shall apply to Area A as shown on Figure 14 Figure 18 of Schedule “F” – Special Figures:</p> <p>d) For the purposes of Special Exception No. 633, the following provisions shall apply to Area B as shown on Figure 14 Figure 18 of Schedule “F” – Special Figures:</p>	<p>notwithstanding any consolidation or division of the lot.</p> <p>c) For the purposes of Special Exception No. 633, the following provisions shall apply to Area A as shown on Figure 18 of Schedule “F” – Special Figures:</p> <p>d) For the purposes of Special Exception No. 633, the following provisions shall apply to Area B as shown on Figure 18 of Schedule “F” – Special Figures:</p>
<p>SE 637</p> <p>670, 674, 686, 692, 700 and 706 Queenston Road, Hamilton</p>	<p>Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 and 1193 of Schedule “A” – Zoning Maps, and described as 670, 674, 686, 692, 700 and 706 Queenston Road, shown as Figure 12 Figure 19 of Schedule “F” – Special Figures, the following special provisions shall also apply:</p> <p>a) For the purposes of Special Exception No. 637, the following special regulations shall apply to Areas A and B, as shown on Figure 12 Figure 19 of Schedule “F” – Special Figure:</p> <p>A) The lands described as 670, 674, 686, 692, 700 and 706 Queenston Road, as shown as Figure 12 Figure 19 of Schedule “F” – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.</p>	<p>Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 and 1193 of Schedule “A” – Zoning Maps, and described as 670, 674, 686, 692, 700 and 706 Queenston Road, shown as Figure 12 Figure 19 of Schedule “F” – Special Figures, the following special provisions shall also apply:</p> <p>a) For the purposes of Special Exception No. 637, the following special regulations shall apply to Areas A and B, as shown on Figure 12 Figure 19 of Schedule “F” – Special Figure:</p> <p>A) The lands described as 670, 674, 686, 692, 700 and 706 Queenston Road, as shown as Figure 12 Figure 19 of Schedule “F” – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.</p>

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
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	<p>b) For the purposes of Special Exception No. 637, the following special regulations shall apply to Area A as shown on Figure 12 Figure 19 of Schedule “F” – Special Figures:</p> <p>c) For the purposes of Special Exception No. 637, the following special provisions shall apply to Area B as shown on Figure 12 Figure 19 of Schedule “F” – Special Figures:</p>	<p>b) For the purposes of Special Exception No. 637, the following special regulations shall apply to Area A as shown on Figure 12 Figure 19 of Schedule “F” – Special Figures:</p> <p>c) For the purposes of Special Exception No. 637, the following special provisions shall apply to Area B as shown on Figure 12 Figure 19 of Schedule “F” – Special Figures:</p>
<p>SE 649 Northwest corner of Wilson Street West and Mason Drive, Ancaster</p>	<p>Within the lands zoned District Commercial (C6) Zone, identified on Maps 1433 and 1482 of Schedule “A” – Zoning Maps and described as the northwest corner of Wilson Street West and Mason Drive, the following special provisions shall apply:</p> <p>a) In addition to the definition of Retail in Section 3: Definitions, the following definition shall also apply:</p> <p>Super-market A store in which various kinds of food and non-food items are offered or kept for sale, including fresh meats and fresh produce, provided that the area devoted to food items is predominant, and the non-food items may include but are not limited to flowers, hardware, patent medicines, toiletries, household supplies, garden supplies, wine, photofinishing, magazines and videos.</p>	<p>Within the lands zoned District Commercial (C6) Zone, identified on Maps 1433 and 1482 of Schedule “A” – Zoning Maps and described as the northwest corner of Wilson Street West and Mason Drive, the following special provisions shall apply:</p> <p>a) In addition to the definition of Retail in Section 3: Definitions, the following definition shall also apply:</p> <p>Super-market A store in which various kinds of food and non-food items are offered or kept for sale, including fresh meats and fresh produce, provided that the area devoted to food items is predominant, and the non-food items may include but are not limited to flowers, hardware, patent medicines, toiletries, household supplies, garden supplies, wine, photofinishing, magazines and videos.</p>

Appendix “H” – Schedule “C” Special Exceptions		
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	<p>b) Notwithstanding Subsection 10.6.1, only the following uses shall be permitted:</p> <ul style="list-style-type: none"> i) Art Gallery ii) Auctioneer Establishment iii) Building and Lumber Supply Establishment, within a wholly enclosed building iv) Catering Service v) Cold Storage Locker Establishment vi) Commercial Entertainment, within a wholly enclosed building vii) Commercial Parking Facility viii) Commercial Recreation, within a wholly enclosed building ix) Community Garden x) Craftsperson Shop xi) Day Nursery xii) Educational Establishment xiii) Financial Establishment xiv) Funeral Home xv) Laboratory xvi) Library xvii) Major Recreation Vehicle Sales and Service Establishment xxiii) Manufacturing, limited to a Printing and / or Publishing Establishment xix) Medical Clinic xx) Motor Vehicle Dealership Sales and Service Establishment xxi) Museum xxii) Office xxiii) Personal Services xxiv) Post Office 	<p>b) Notwithstanding Subsection 10.6.1, only the following uses shall be permitted:</p> <ul style="list-style-type: none"> i) Art Gallery ii) Auctioneer Establishment iii) Building and Lumber Supply Establishment, within a wholly enclosed building iv) Catering Service v) Cold Storage Locker Establishment vi) Commercial Entertainment, within a wholly enclosed building vii) Commercial Parking Facility viii) Commercial Recreation, within a wholly enclosed building ix) Community Garden x) Craftsperson Shop xi) Day Nursery xii) Educational Establishment xiii) Financial Establishment xiv) Funeral Home xv) Laboratory xvi) Library xvii) Major Recreation Vehicle Sales and Service Establishment xxiii) Manufacturing, limited to a Printing and / or Publishing Establishment xix) Medical Clinic xx) Motor Vehicle Dealership xxi) Museum xxii) Office

Appendix “H” – Schedule “C” Special Exceptions		
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	<ul style="list-style-type: none"> xxv) Private Club or Lodge xxvi) Recreational Vehicle Sales and Service Establishment xxvii) Repair Service xxviii) Restaurant xxix) Retail, not including a Supermarket xxx) Transportation Depot xxxii) Urban Farmer's Market <p>c) Notwithstanding Subsection 10.6.1.1 i) 1. B., a two-storey building containing office uses on both the first and second floor is also permitted.</p> <p>d) In addition to Subsection 10.6.2, the following uses shall also be prohibited, even as an accessory use:</p> <ul style="list-style-type: none"> i) Body Rub Parlour ii) Department Store iii) Dwelling Unit iv) Open Storage v) Supermarket <p>e) Notwithstanding Subsection 10.6.3e) and f), the maximum Gross Floor Area for all uses shall be 10,000 square metres, and shall not apply to Motor Vehicle Sales and Service Establishment and Major Recreational Vehicle Sales, Service, and Rental Establishment.</p>	<ul style="list-style-type: none"> xxiii) Personal Services xxiv) Post Office xxv) Private Club or Lodge xxvi) Recreational Vehicle Sales and Service Establishment xxvii) Repair Service xxviii) Restaurant xxix) Retail, not including a Supermarket xxx) Transportation Depot xxxii) Urban Farmer's Market <p>c) Notwithstanding Subsection 10.6.1.1 i) 1. B., a two-storey building containing office uses on both the first and second floor is also permitted.</p> <p>d) In addition to Subsection 10.6.2, the following uses shall also be prohibited, even as an accessory use:</p> <ul style="list-style-type: none"> i) Body Rub Parlour ii) Department Store iii) Dwelling Unit iv) Open Storage v) Supermarket <p>e) Notwithstanding Subsection 10.6.3e) and f), the maximum Gross Floor Area for all uses shall be 10,000 square metres, and shall not apply to Motor Vehicle Sales and Service Establishment and Major Recreational Vehicle Sales, Service, and Rental Establishment.</p>

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SE / Address	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted added</p>		<p>bolded text = text to be added</p>
<p>SE 674 3100, 3110, 3120, 3140 RR 56, Block 131 of Registered Plan of Subdivision 62M-1062, Glanbrook</p>	<p>d) In addition to Subsection 5.1 d) i) and 5.6 c), and notwithstanding Subsections 5.1 a) v), 5.2 b) and f), and 5.6 c) i. and iv., the following regulations shall apply:</p> <p>i) The minimum parking space size shall be 3.0 metres in width and 5.8 metres in length.</p> <p>ii) The minimum barrier-free parking space size shall be 4.4 metres in width and 5.8 metres in length, except where two (2) barrier-free parking spaces are located together, a minimum 3.5 metres in width shall be permitted for each space.</p> <p>iii) Minimum Parking Requirements</p> <p>i. Residential Uses</p> <p>Dwelling Units and 1 space per unit Dwelling Units in Conjunction 0.5 visitor spaces per unit with a Commercial Use Dwelling Unit, Mixed Use</p> <p>iv. ii. Residential Uses Commercial Uses</p> <p>All Commercial Uses 1 for each 30 square metres of Gross Floor Area which accommodates such use</p> <p>iv) Minimum Loading Space Requirements: 1 space</p>	<p>d) In addition to Subsection 5.1 d) i) and 5.6 c), and notwithstanding Subsections 5.1 a) v), 5.2 b) and f), and 5.6 c) i. and iv., the following regulations shall apply:</p> <p>i) The minimum parking space size shall be 3.0 metres in width and 5.8 metres in length.</p> <p>ii) The minimum barrier-free parking space size shall be 4.4 metres in width and 5.8 metres in length, except where two (2) barrier-free parking spaces are located together, a minimum 3.5 metres in width shall be permitted for each space.</p> <p>iii) Minimum Parking Requirements</p> <p>i. Residential Uses</p> <p>Dwelling Units 1 space per unit Dwelling Unit, Mixed Use 0.5 visitor spaces per unit</p> <p>ii. Commercial Uses</p> <p>All Commercial Uses 1 for each 30 square metres of Gross Floor Area which accommodates such use</p> <p>iv) Minimum Loading Space</p>

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>e) Notwithstanding Subsection 4.6 a), d), e), and f), the following regulations apply:</p> <ul style="list-style-type: none"> i) Sills, belt courses, cornices, eaves and gutters, chimneys, bay windows, and pilasters may project into any required yard a maximum 3.0 metres; and, ii) Balconies, canopies, fruit cellars, and unenclosed porches may project into any required front, rear or side yard a maximum 3.0 metres. <p>f) In addition to Subsection 10.5a.1, the following uses shall also be permitted:</p> <ul style="list-style-type: none"> i) Dwelling Unit ii) Multiple Dwelling iii) Private Club or Lodge <p>g) Notwithstanding Subsection 10.5a.1.1 ii) 2., Dwelling Units shall be permitted on the ground floor.</p> <p>h) Notwithstanding Subsections 10.5a.3 a), d), h) x), i), and in addition to Subsection 10.5a.3. j), the following regulations shall apply:</p> <p>j) The following regulations shall apply:</p> <ul style="list-style-type: none"> i) Maximum Building Setback from a Street Line No Maximum ii) Building Height The maximum building height shall be 11 metres. 	<p>Requirements: 1 space</p> <p>e) Notwithstanding Subsection 4.6 a), d), e), and f), the following regulations apply:</p> <ul style="list-style-type: none"> iii) Sills, belt courses, cornices, eaves and gutters, chimneys, bay windows, and pilasters may project into any required yard a maximum 3.0 metres; and, iv) Balconies, canopies, fruit cellars, and unenclosed porches may project into any required front, rear or side yard a maximum 3.0 metres. <p>f) In addition to Subsection 10.5a.1, the following uses shall also be permitted:</p> <ul style="list-style-type: none"> i) Dwelling Unit ii) Multiple Dwelling iii) Private Club or Lodge <p>g) Notwithstanding Subsection 10.5a.1.1 ii) 2., Dwelling Units shall be permitted on the ground floor.</p> <p>h) Notwithstanding Subsections 10.5a.3 a), d), h) x), i), and in addition to Subsection 10.5a.3. j), the following regulations shall apply:</p> <ul style="list-style-type: none"> i) Maximum Building Setback from a Street Line No Maximum ii) Building Height The maximum

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>iii) Built Form for New Development</p> <p>The first storey shall have a minimum height of 3.5 metres and a maximum height of 4.5 metres.</p> <p>iv) Planting Strip Requirements</p> <p>Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 6.0 metre wide Planting Strip shall be provided and maintained.</p> <p>v) Visual Barrier</p> <p>A Visual Barrier shall also be required where a loading space abuts any Residential or Institutional Zone or a residential or institutional use.</p>	<p>building height shall be 11 metres.</p> <p>iii) Built Form for New Development</p> <p>The first storey shall have a minimum height of 3.5 metres and a maximum height of 4.5 metres.</p> <p>iv) Planting Strip Requirements</p> <p>Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 6.0 metre wide Planting Strip shall be provided and maintained.</p> <p>v) Visual Barrier</p> <p>A Visual Barrier shall also be required where a loading space abuts any Residential or Institutional Zone or a residential or institutional use.</p>
SE 701 71 Rebecca	Within the lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone identified on Map 953 of Schedule A	Within the lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone identified on Map 953 of

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
Street, Hamilton	<p>- Zoning Maps and described as 71 Rebecca Street the following special regulations apply:</p> <p>a f) Notwithstanding Sections 5.2 b), 6.0 c) i) ii) and iii) 2, and 6.1.3 e), the following special provisions shall also apply:</p> <p>b g) REGULATIONS</p> <p>a) Stepback i) A minimum 3.0 metre from the Building Base Façade Height stepback shall be required from the building base façade height of 11 metres along Rebecca Street.</p> <p>ba) Stepback for i) 1.0 metres the portion of the Building exceeding 22.0 metres, at the southern point of the perpendicular portion of the rear lot line.</p> <p>ce) Maximum Lot Coverage 100%</p> <p>de) Parking i) Parking stall sizes shall be</p>	<p>Schedule A - Zoning Maps and described as 71 Rebecca Street the following special regulations apply:</p> <p>a) Notwithstanding Sections 5.2 b), 6.0 c) i) ii) and iii) 2, and 6.1.3 e), the following special provisions shall also apply:</p> <p>b) REGULATIONS</p> <p>a) Stepback i) A from the Building Base Façade Height minimum 3.0 metre stepback shall be required from the building base façade height of 11 metres along Rebecca Street.</p> <p>b) Stepback for i) 1.0 metres the portion of the Building exceeding 22.0 metres, at the southern point of the perpendicular portion of the rear lot line.</p>

Appendix "H" – Schedule "C" Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted</p>		<p>bolded text = text to be added</p>
	<p>in accordance with the following:</p> <ul style="list-style-type: none"> i. 62 parking stalls at 2.8 m x 5.8 m; ii. 93 parking stalls at 2.6 m x 5.8 m; iii. 36 parking stalls at 2.8 m x 5.5 m; iv. 13 parking stalls at 2.8 m x 5.5 m; v. 3 barrier-free parking stalls at 4.6 m x 5.8 m; vi. 3 barrier-free parking stalls at 4.6 m x 5.5 m; and, vii. 4 car share parking stalls, at grade at 2.6 m x 5.5 m. 	<ul style="list-style-type: none"> c) Maximum Lot Coverage 100% d) Parking i) Parking stall sizes shall be in accordance with the following: <ul style="list-style-type: none"> i. 62 parking stalls at 2.8 m x 5.8 m; ii. 93 parking stalls at 2.6 m x 5.8 m; iii. 36 parking stalls at 2.8 m x 5.5 m; iv. 13 parking stalls at 2.8 m x 5.5 m; v. 3 barrier-free parking stalls at 4.6 m x 5.5 m; vi. 3 barrier-free parking stalls at 4.6 m x 5.5 m; and, vii. 4 car share parking stalls, at grade at 2.6 m x 5.5 m.
SE 734 118 Hatt	Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 860 and 902 of Schedule "A20" – Zoning Maps	Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 860 and 902 of Schedule "A" –

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
Street, Dundas	and described as 118 Hatt Street, the following special provisions shall apply:	Zoning Maps and described as 118 Hatt Street, the following special provisions shall apply:
SE 735 1289 Upper James Street, Hamilton	Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1290 of Schedule “ A8 ” – Zoning Maps, and described as 1289 Upper James Street, Hamilton, the following special provisions shall apply:	Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1290 of Schedule “ A ” – Zoning Maps, and described as 1289 Upper James Street, Hamilton, the following special provisions shall apply:
SE 737 1092 Gore Road, Flamborough	Within a portion of the lands zoned Rural (A2) Zone, identified on Maps 15 and 16 of Schedule “ A22 ” – Zoning Maps and described as 1092 Gore Road, the following special provisions shall apply:	Within a portion of the lands zoned Rural (A2) Zone, identified on Maps 15 and 16 of Schedule “ A ” – Zoning Maps and described as 1092 Gore Road, the following special provisions shall apply:
SE 741 354 King Street West, Hamilton	Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone, identified on Map No. 909 and 951 of Schedule “A” to Zoning By-law No. 05-200 and described as 354 King Street West 354 King Street West , the following special provisions shall apply: c) Notwithstanding Section 11.1.3. d) ii) and iii), the following special provisions shall apply: i) Building Height b) In addition to a) above, maximum building height shall be in accordance with Figure 24 Figure 26 of Schedule F – Special Figures of Zoning By-law No. 05-200.	Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone, identified on Map No. 909 and 951 of Schedule “A” to Zoning By-law No. 05-200 and described as 354 King Street West, the following special provisions shall apply: c) Notwithstanding Section 11.1.3. d) ii) and iii), the following special provisions shall apply: i) Building Height b) In addition to a) above, maximum building height shall be in accordance with Figure 26 of Schedule F – Special Figures of Zoning By-law No. 05-200.
SE 747 60 Arbour Road and 1375 Stone Church Road East (in part), Hamilton	Within the lands zoned Prestige Business Park (M3) Zone, identified on Maps 1451 and 1452 of Schedule “ A6 ” – Zoning Maps, and described as 60 Arbour Road and 1375 Stone Church Road East (in part) the following special provisions shall also apply:	Within the lands zoned Prestige Business Park (M3) Zone, identified on Maps 1451 and 1452 of Schedule “ A ” – Zoning Maps, and described as 60 Arbour Road and 1375 Stone Church Road East (in part) the following special provisions shall also apply:

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
SE 748 1603 Rymal Road East, Hamilton	Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1548 of Schedule “ A5 ” – Zoning Maps, and described as 1603 Rymal Road East the following special provisions shall also apply:	Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1548 of Schedule “A” – Zoning Maps, and described as 1603 Rymal Road East the following special provisions shall also apply:
SE 749 141 King Street East, Hamilton	Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1249 of Schedule “A4” – Zoning Maps, and described as 141 King Street East, the following special provisions shall also apply:	Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1249 of Schedule “A” – Zoning Maps, and described as 141 King Street East, the following special provisions shall also apply:
SE 750 144 Wilson Street East, Hamilton	Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1228 of Schedule “ A18 ” – Zoning Maps, described as 144 Wilson Street East, the following special provisions shall also apply:	Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1228 of Schedule “A” – Zoning Maps, described as 144 Wilson Street East, the following special provisions shall also apply:
SE 751 78 Highway No. 8, Flamborough	Within the lands zoned Settlement Commercial (S2) Zone, identified on Map 107 of Schedule “ A19 ” – Zoning Maps, described as 78 Highway No. 8, the following special provisions shall also apply:	Within the lands zoned Settlement Commercial (S2) Zone, identified on Map 107 of Schedule “A” – Zoning Maps, described as 78 Highway No. 8, the following special provisions shall also apply:
SE 775 112 King Street West, Dundas	775 Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 570, 775) Zone identified on Map 860 of Schedule “A” – Zoning Maps, and described as 112 King Street West, the following special provision shall apply: a) Notwithstanding Subsection 5.6 c) iv) Commercial Uses, a minimum of five (5) parking spaces shall be provided.	775 Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 570, 775) Zone identified on Map 860 of Schedule “A” – Zoning Maps, and described as 112 King Street West, the following special provision shall apply: a) Notwithstanding Subsection 5.6 c) iv) Commercial Uses, a minimum of five (5) parking spaces shall be provided.

Appendix “H” – Schedule “C” Special Exceptions		
SE / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted added		bolded text = text to be added
SE 776 389 / 391 / 427 Limeridge Road East, Hamilton	776 Within the lands zoned Neighbourhood Institutional (I1, 776) Zone, identified on Maps 1291 and 1292 of Schedule “A” – Zoning Maps, and described as 389 / 391 / 427 Limeridge Road East, the following special provision shall apply: a) In addition to Section 8.1.1, a Cemetery shall also be permitted and shall be subject to Section 7.4.2.	776 Within the lands zoned Neighbourhood Institutional (I1, 776) Zone, identified on Maps 1291 and 1292 of Schedule “A” – Zoning Maps, and described as 389 / 391 / 427 Limeridge Road East, the following special provision shall apply: a) In addition to Section 8.1.1, a Cemetery shall also be permitted and shall be subject to Section 7.4.2.
SE 778 (new) 1609 and 1611 Brock Road, Flamborough	778 Within the lands zoned Settlement Residential (S1, 778) Zone, identified on Map Nos. 25 and 35 of Schedule “A” – Zoning Maps, and described as 1609 & 1611 Brock Road, the following special provision shall apply: a) Notwithstanding Section 12.3.3 a), the Minimum Lot Area shall be 0.17 hectares.	778 Within the lands zoned Settlement Residential (S1, 778) Zone, identified on Map Nos. 25 and 35 of Schedule “A” – Zoning Maps, and described as 1609 & 1611 Brock Road, the following special provision shall apply: a) Notwithstanding Section 12.3.3 a), the Minimum Lot Area shall be 0.17 hectares.

Appendix “I” – Schedule “D” - Holding Provisions		
Holding / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
H94 Pier 8, 65 Guise Street, Hamilton	That notwithstanding Section 14 and Schedule “C” – Special Exceptions, of this By-law, on those lands zoned Waterfront – Multiple Residential (WF1, H94) Zone, and Waterfront – Multiple Residential (WF1, 483, H94) Zone, and Waterfront – Mixed Use (WF2, H94) Zone, and Waterfront – Prime Retail Streets (WF3, H94) Zone, and Waterfront – Prime Retail Streets (WF3, 484, H94) Zone, and Community Institutional (I2, 486, H94) Zone on Map 827 of Schedule “A” – Zoning Maps, described as Pier 8, 65 Guise Street, no development shall be permitted until such time as:	That notwithstanding Section 14 and Schedule “C” – Special Exceptions, of this By-law, on those lands zoned Waterfront – Multiple Residential (WF1) Zone, Waterfront – Multiple Residential (WF1, 483) Zone, Waterfront – Mixed Use (WF2) Zone, Waterfront – Prime Retail Streets (WF3) Zone, -Waterfront – Prime Retail Streets (WF3, 484) Zone, and Community Institutional (I2, 486) Zone on Map 827 of Schedule “A” – Zoning Maps, described as Pier 8, 65 Guise Street, no development shall be permitted until such time as:
H105 71 Rebecca Street, Hamilton	Notwithstanding Section 6.1 and Schedule “C” – Special Exceptions, of this By-law, on those lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone, on Map 953 of Schedule “A” – Zoning Maps, described as 71 Rebecca Street, no development shall be permitted until: i) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton’s current RSC administration fee.	Notwithstanding Section 6.1 and Schedule “C” – Special Exceptions, of this By-law, on those lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone, on Map 953 of Schedule “A” – Zoning Maps, described as 71 Rebecca Street, no development shall be permitted until: i) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton’s current RSC administration fee.
H701	Notwithstanding Section 6.1 and Schedule	

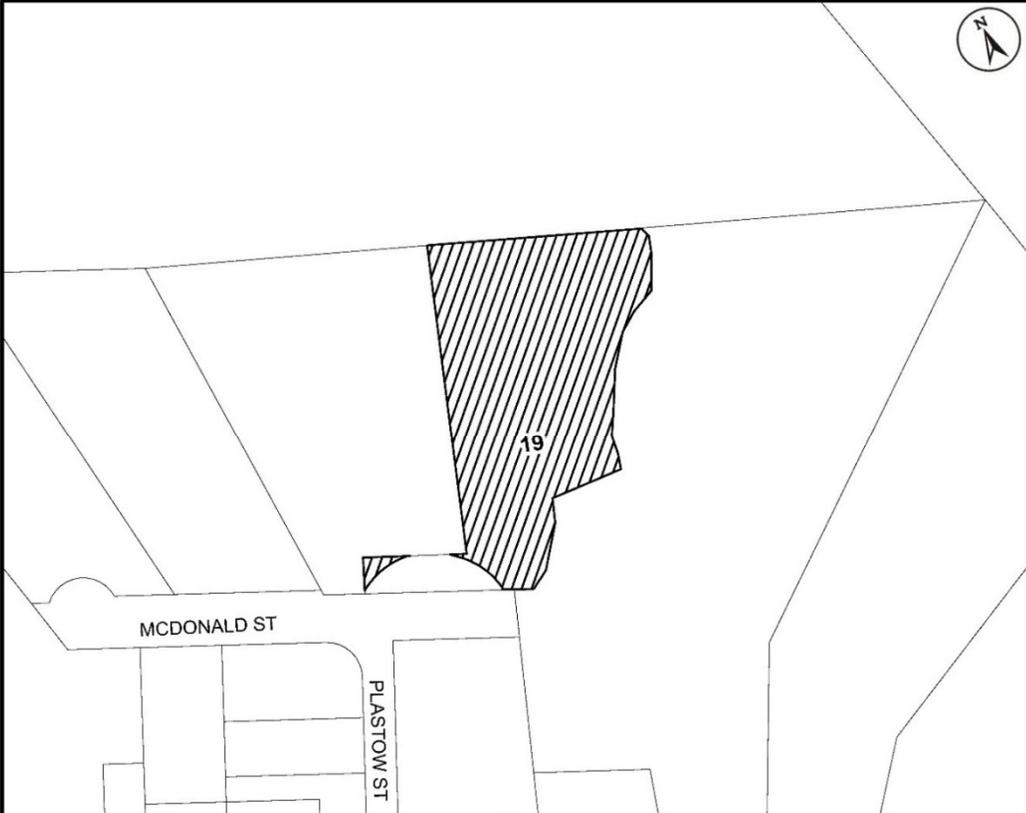
Appendix “I” – Schedule “D” - Holding Provisions		
Holding / Address	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
71 Rebecca Street, Hamilton	<p>“C” Special Exceptions, of this By-law, on those lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone, on Map 953 of Schedule “A” – Zoning Maps, described as 71 Rebecca Street, no development shall be permitted until:</p> <p>i) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton’s current RSC administration fee.</p>	
H125 (new) 65 Oak Avenue, Flamborough	<p>Notwithstanding Section 12.3 of this By-law, within a portion of the lands zoned Settlement Residential (S1) Zone on Map No. RU106 of Schedule “A” – Zoning Maps, and described as 65 Oak Avenue, no development shall be permitted until such time as:</p> <ol style="list-style-type: none"> 1. The owner submits a deposited Ontario Land Surveyor’s Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in hard copy and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system. 2. That the proponent shall carry out an 	<p>Notwithstanding Section 12.3 of this By-law, within a portion of the lands zoned Settlement Residential (S1) Zone on Map No. RU106 of Schedule “A” – Zoning Maps, and described as 65 Oak Avenue, no development shall be permitted until such time as:</p> <ol style="list-style-type: none"> 1. The owner submits a deposited Ontario Land Surveyor’s Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in hard copy and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system. 2. That the proponent shall carry out an archaeological assessment of the portion of the property conveyed and mitigate,

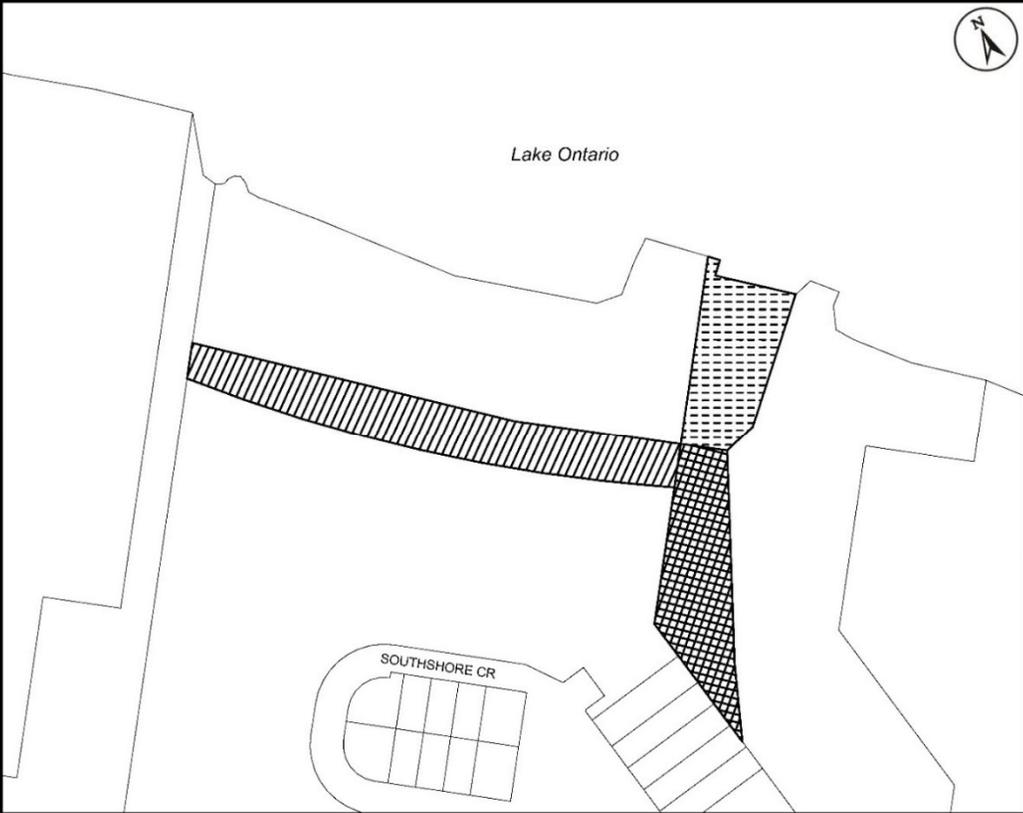
Appendix “I” – Schedule “D” - Holding Provisions		
Holding / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>archaeological assessment of the portion of the property conveyed and mitigate, through preservation 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 Tourism, Culture and Sport. Should deeply buried archaeological materials be found on the property during any of the above development activities the Ontario Ministry of Tourism, Culture and Sport (MTCS) should be notified immediately (416.314.7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MTCS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).</p> <p>3. The Applicant shall ensure compliance with Ontario Building Code requirements regarding spatial separation distances of any structures to the satisfaction of the Planning and Economic Development</p>	<p>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 Tourism, Culture and Sport. Should deeply buried archaeological materials be found on the property during any of the above development activities the Ontario Ministry of Tourism, Culture and Sport (MTCS) should be notified immediately (416.314.7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MTCS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).</p> <p>3. The Applicant shall ensure compliance with Ontario Building Code requirements regarding spatial separation distances of any structures to the satisfaction of the Planning and Economic Development Department (Building Division - Plan Examination Section).</p>

To Amend Zoning By-law No. 05-200 Respecting Modifications and Updates to the Administration, Definitions, General Provisions, Parking, Commercial and Mixed Use Zones, Industrial Zones, Rural Zones, Zoning Maps, Special Exceptions, Holding Provisions, and Special Figures

Appendix "I" – Schedule "D" - Holding Provisions		
Holding / Address	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	Department (Building Division - Plan Examination Section).	

Appendix “J” – Schedule “F” - Special Figures		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
Figure 10	Figure 10 Figure 25: Lime Ridge Mall	Figure 25: Lime Ridge Mall
Figure 24	Figure 24 Figure 26: Maximum Building Height for 354 King Street West.	Figure 26: Maximum Building Height for 354 King Street West

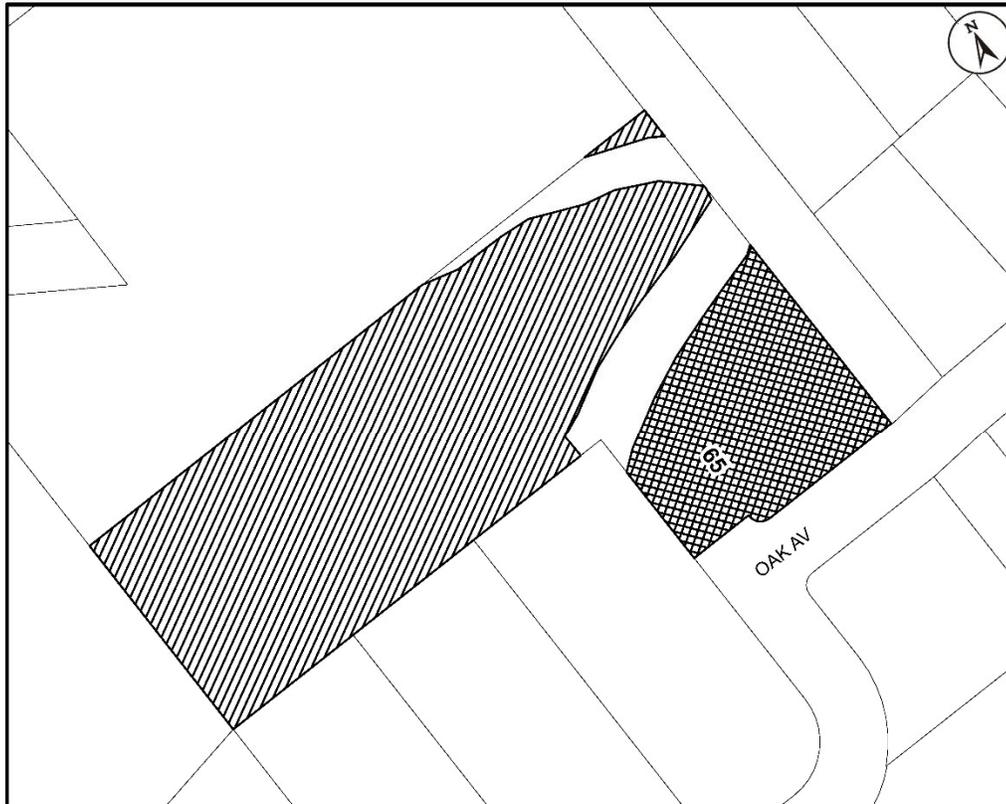
		<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>	
		<p>Schedule "A-1"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map RU79</p>	
<p>Scale: N.T.S</p>	<p>File Name/Number: 19 McDonald St</p>	 Hamilton	
<p>Date: December 21, 2021</p>	<p>Planner/Technician: AF/NB</p>		
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>			

			
<p>This is Schedule "A-2" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	<p style="text-align: center;">-----</p> <p style="text-align: center;">Mayor</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">Clerk</p>		
<h2>Schedule "A-2"</h2> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 1052</p>			
<p>Scale: N T S</p>	<p>File Name/Number: ZAC-08-079</p>	 <p>Hamilton</p>	
<p>Date: January 6, 2022</p>	<p>Planner/Technician: AF/NB</p>		
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		<p>Subject Property</p> <p>Green Millan Shore Estates</p> <ul style="list-style-type: none">  Lands to be added to Zoning By-law No. 05-200 and zoned Open Space (P4) Zone  Lands to be added to Zoning By-law No. 05-200 and zoned Conservation / Hazard Land (P5) Zone  Change in zoning from the Open Space (P4) Zone to the Conservation / Hazard Land (P5) Zone 	

		<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>	
		<p>-----</p> <p>-----</p>	
<p>This is Schedule "A-3" to By-law No. 22-</p> <p>Passed the day of, 2022</p>		<p>-----</p> <p>-----</p>	
<p>Schedule "A-3"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 1483 & 1530</p>		<p>Subject Property 1295 Cormorant Road</p> <p> Change in Zoning from the General Business Park (M2, 451, 678) Zone to the General Business Park (M2, 678, 767) Zone</p>	
<p>Scale: N.T.S</p>	<p>File Name/Number: CI-22-C</p>	 Hamilton	
<p>Date: December 22, 2021</p>	<p>Planner/Technician: AF/VS</p>		
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>			



This is Schedule "A-4" to By-law No. 22- Passed the day of, 2022		----- Mayor ----- Clerk
<h2>Schedule "A-4"</h2> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 1184</p>		<p>Subject Property</p> <p>171 Mohawk Road East, Hamilton</p> <p> Lands added to Zoning By-law No. 05-200 and zoned Neighbourhood Commercial (C2) Zone</p>
Scale: N.T.S	File Name/Number: CI-22-C	
Date: January 6, 2022	Planner/Technician: AF/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



This is Schedule "A-5" to By-law No. 22-

Passed the day of, 2022

Mayor

Clerk

Schedule "A-5"

Map forming Part of
By-law No. 22-_____

to Amend By-law No. 05-200
Map 856

Subject Property

65 Oak Avenue, Flamborough

 Lands to be added to Zoning By-law No. 05-200 and zoned the Settlement Residential (S1) Zone

 Lands to be added to Zoning By-law No. 05-200 and zoned the Settlement Residential (S1, H125) Zone

Scale:
N.T.S

File Name/Number:
CI-22-C

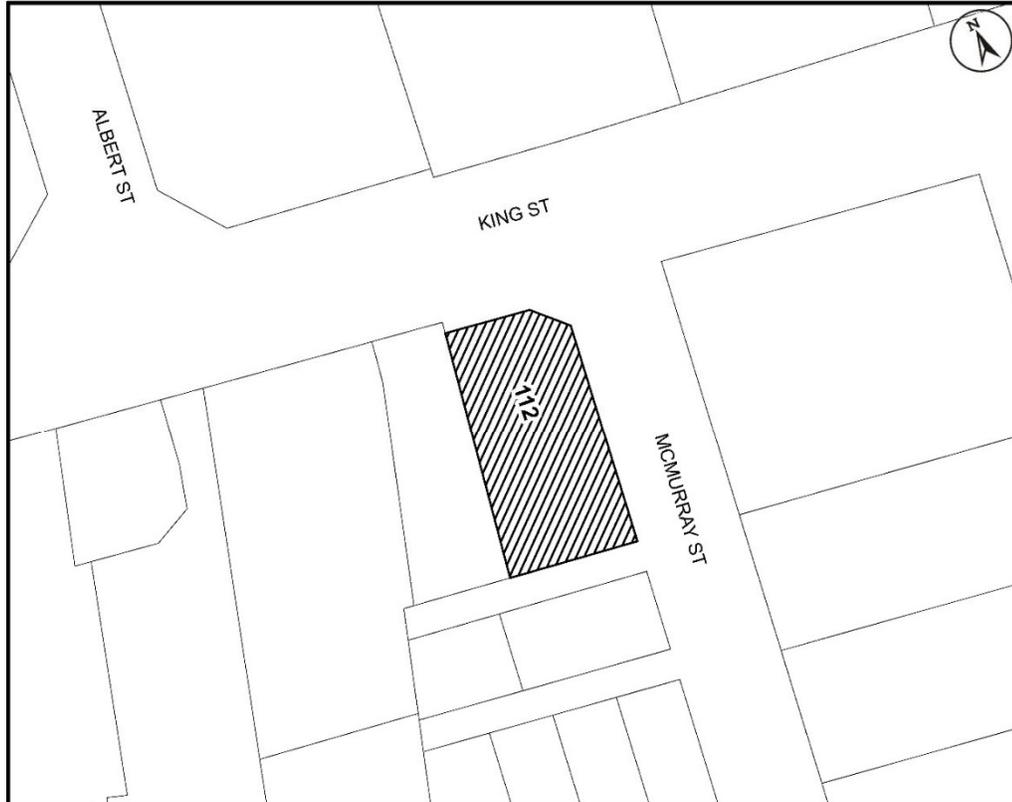
Date:
February 15, 2022

Planner/Technician:
AF/NB

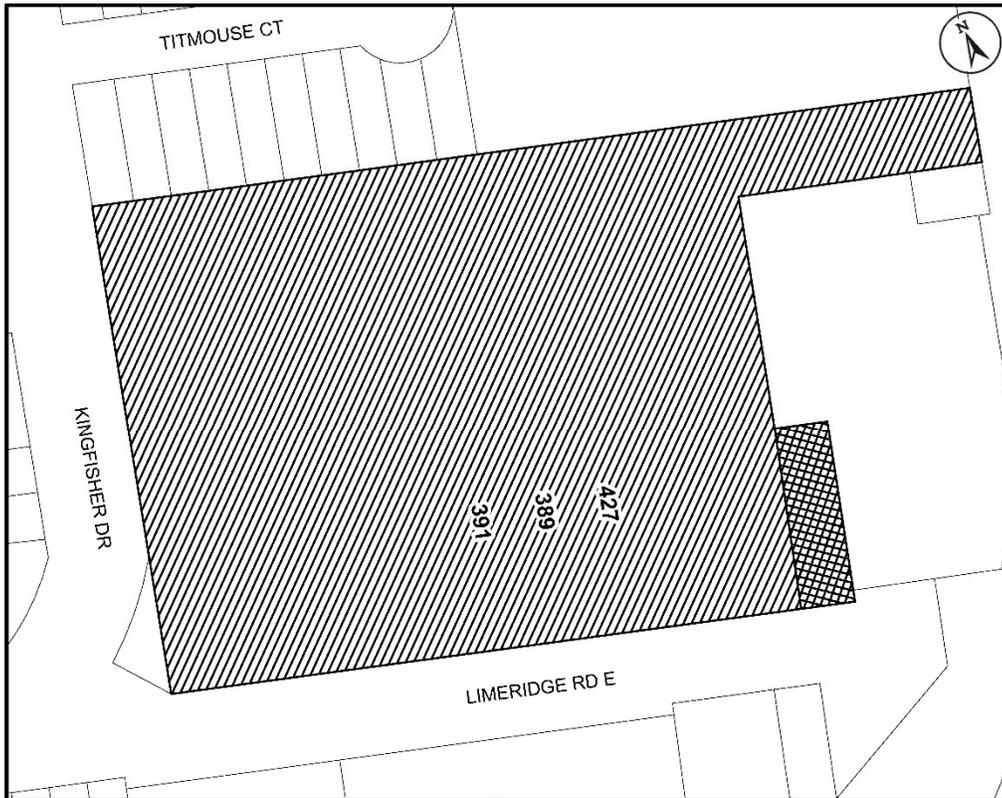


Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



This is Schedule "A-6" to By-law No. 22- Passed the day of, 2022		_____ Mayor _____ Clerk
<p align="center">Schedule "A-6"</p> <p align="center">Map forming Part of By-law No. 22-_____</p> <p align="center">to Amend By-law No. 05-200 Map 860</p>		<p>Subject Property 112 King Street West, Dundas</p> <p> Change in Zoning from Mixed Use Medium Density – Pedestrian Focus (C5a, 570) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 570, 775) Zone</p>
Scale: N.T.S.	File Name/Number: CI-22-C	
Date: February 14, 2022	Planner/Technician: AF/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



This is Schedule "A-7" to By-law No. 22-
 Passed the day of, 2022

 Mayor

 Clerk

Schedule "A-7"

Map forming Part of
 By-law No. 22-_____

to Amend By-law No. 05-200
 Map 1291, 1292

Subject Property

389, 391 and 427 Limeridge Road East, Hamilton

-  Lands to be added to Zoning By-law No. 05-200 and zoned the Neighbourhood Institutional (I1, 776) Zone
-  Change in zoning from the Mixed Use Medium Density (C5) Zone to the Neighbourhood Institutional (I1, 776) Zone

Scale:
 N.T.S

File Name/Number:
 CI-22-C

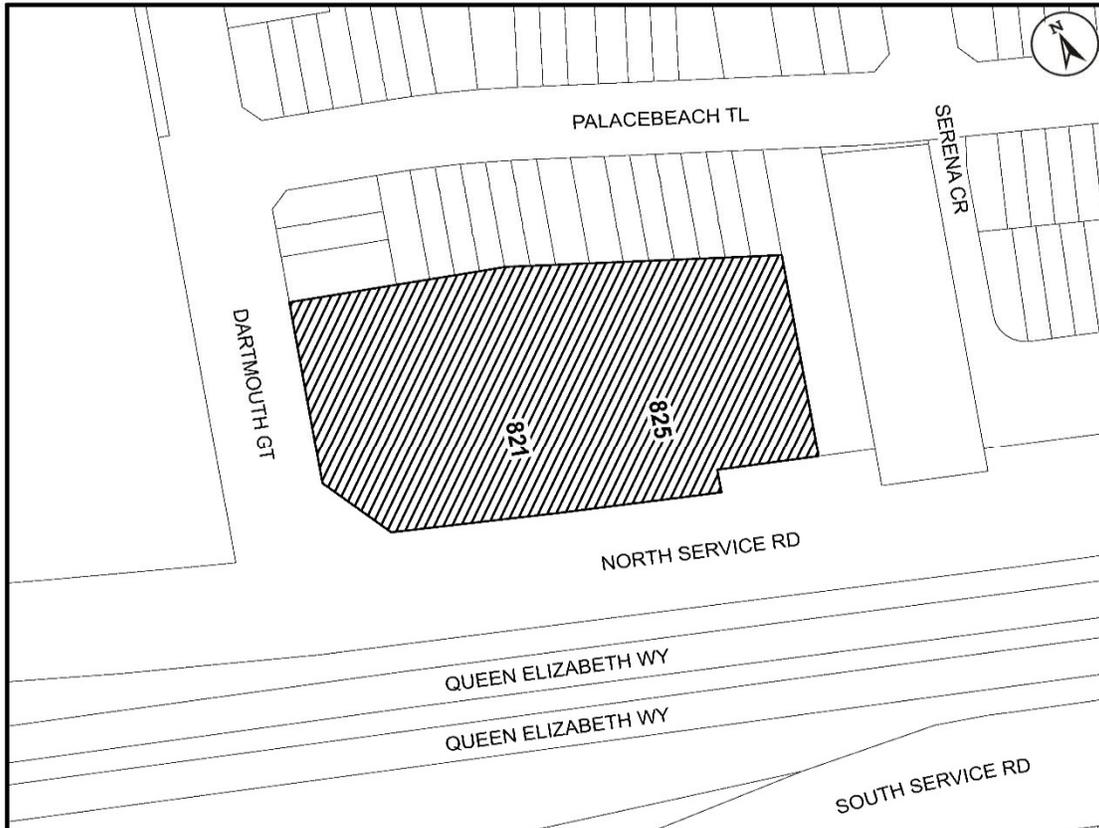
Date:
 February 15, 2022

Planner/Technician:
 AF/NB

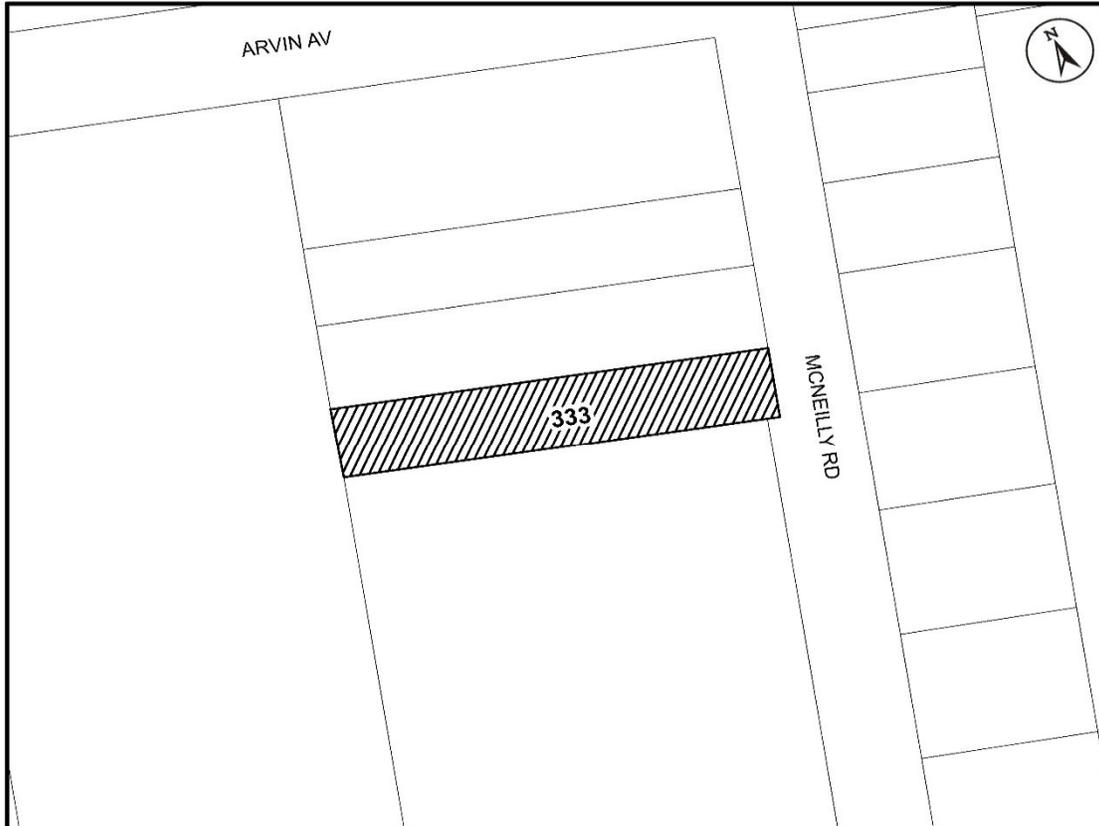


Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



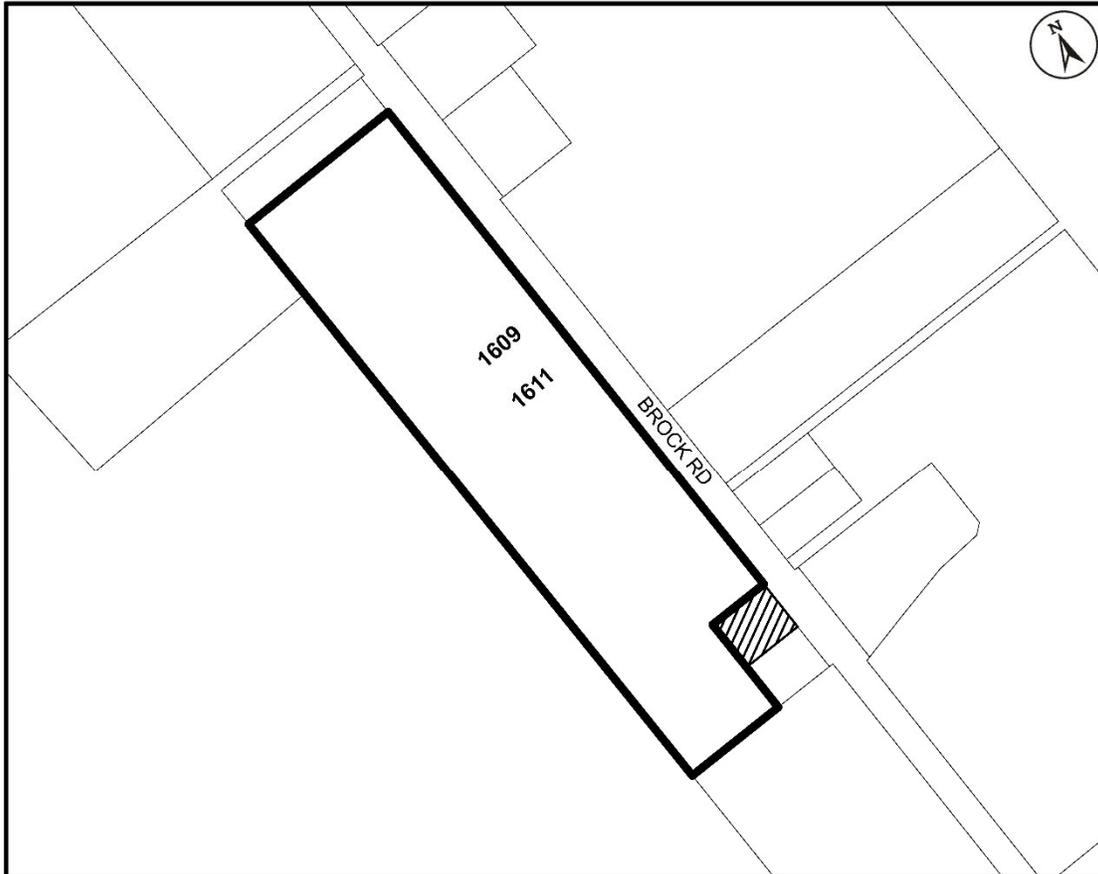
<p>This is Schedule "A-8" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>		
<h2>Schedule "A-8"</h2> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 1150</p>	<p>Subject Property 821 and 825 North Service Road, Stoney Creek</p> <p> Change in zoning from the Community Commercial (C3, 579) Zone to the Community Commercial (C3) Zone</p>		
<p>Scale: N.T.S</p>	<p>File Name/Number: CI-22-C</p>		<p>Date: February 15, 2022</p>
<p>Planner/Technician: AF/NB</p>			<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>



This is Schedule "A-9" to By-law No. 22- Passed the day of, 2022	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p> -----
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<h2 style="margin: 0;">Schedule "A-9"</h2> <p style="margin: 5px 0;">Map forming Part of By-law No. 22-_____</p> <p style="margin: 5px 0;">to Amend By-law No. 05-200 Map 1256</p>	<p>Subject Property 333 McNeilly Road, Stoney Creek</p> <p> Change in zoning from Prestige Business Park (M3) Zone to Prestige Business Park (M3, 375) Zone</p>
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Scale: N.T.S.	File Name/Number: CI-22-C	
Date: March 3, 2022	Planner/Technician: AF/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		Hamilton



This is Schedule "A-10" to By-law No. 22-
 Passed the day of, 2022

 Mayor

 Clerk

Schedule "A-10"

Map forming Part of
 By-law No. 22-_____

to Amend By-law No. 05-200
 Map 196, 224

Subject Property
 1609 and 1611 Brock Road, Flamborough

 Change in zoning from Settlement Residential (S1) Zone to Settlement Residential (S1, 778) Zone

 Remaining Lands

Scale: N.T.S	File Name/Number: CI-22-C	 Hamilton
Date: March 4, 2022	Planner/Technician: AF/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 4, Planning Committee
Report 22-005 (PED22046)
CM: April 13, 2022
Ward: 12

Bill No. 085

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 87-57 Respecting Modifications to the Existing Residential “ER” Zone in the former Town of Ancaster Zoning By-law

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” 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. 87-57 (Ancaster) was enacted on the 22nd day of June, 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS Council, in approving Item 4 of Report 22-005 of the Planning Committee, at its meeting held on the 13th day of April, 2022, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

NOW THEREFORE Council of the City of Hamilton amends Zoning By-law No. 87-57 (Ancaster) as follows:

1. That Section 10: EXISTING RESIDENTIAL “ER” ZONE, Table 10.3.5 – Side Yard Setback, of Zoning By-law No. 87-57 (Ancaster), as amended, is further amended by introducing a clause (2) and adding said clause to the Table 10.3.5 regulations as follows:

Table 10.3.5 – Side Yard Setback

Regulation	
Lots with a frontage less than or equal to 23 metres	2.0 metres for an interior side yard (1) (2) 6.0 metres for a flankage yard (1) (2)
Lots with a frontage greater than 23 metres	10 percent of the lot frontage to a maximum setback of 5.0 metres for an interior side yard (1) (2) 6.0 metres for a flankage yard (1) (2)
(1) A minimum of one metre within the side yard shall be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod.	
(2) Notwithstanding (1), a fence or gate shall be permitted to traverse the minimum one metre within the side yard described in (1).	

2. That Section 10: EXISTING RESIDENTIAL “ER” ZONE, Table 10.3.6 – Rear Yard Setback, of Zoning By-law No. 87-57 (Ancaster), as amended, is further amended by introducing a clause (2) and adding said clause to the Table 10.3.6 regulations as follows:

Table 10.3.6 – Rear Yard Setback

Regulation	
Lots with a depth less than or equal to 40 metres	25 percent of the lot depth and no less than 7.5 metres (1) (2)
Lots with a depth greater than 40 metres and less than or equal to 45 metres	30 percent (1) (2)
Lots with a depth greater than 45 metres and less than or equal to 50 metres	35 percent (1) (2)
Lots with a depth greater than 50 metres	40 percent (1) (2)
(1) A minimum of one metre within the rear yard shall be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod.	

Regulation

(2) Notwithstanding (1), a fence or gate shall be permitted to traverse the minimum one metre within the side yard described in (1).
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3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 22-C

Authority: Item 4, Planning Committee
Report: 22-005 (PED22046)
CM: April 13, 2022
Ward: 15

Bill No. 086

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 105 Braeheid Avenue, Flamborough

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1st, 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 Town of Flamborough”, and is the successor of 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th of November 1990 and approved by the Ontario Municipal Board on the 21st of December, 1991;

AND WHEREAS Council, in approving Item 4 of Report 22-005 of the Planning Committee, at its meeting held on the 13th day of April, 2022, recommended that Zoning By-law No. 90-145-Z (Flamborough) be amended as hereinafter provided;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

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

1. That Schedule “A-30”, appended to and forming part of By-law No. 90-145-Z (Flamborough), as amended, is further amended by rezoning from the Urban Residential (Single Detached) “R1-25(H)” Zone, Holding, to the Urban Residential (Single Detached) “R1-25” Zone, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “B-1”

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

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
Clerk

CI 22 - C



This is Schedule "B-1" to By-law No. 22- Passed the day of, 2022	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p>
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<h2 style="margin: 0;">Schedule "B-1"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 22-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 90-145-Z</p>	<p>Subject Property 105 Braeheid Avenue, Flamborough (Ward 15)</p> <p> Change in zoning from the Urban Residential (Single Detached) "R1-25(H)" Zone, Holding, to the Urban Residential (Single Detached) "R1-25" Zone</p>
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Scale: N.T.S	File Name/Number: 105 Braeheid Av
Date: December 21, 2021	Planner/Technician: AF/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



Authority: Item 4, Planning Committee
Report 22-005 (PED22046)
CM: April 13, 2022
Ward: 7

Bill No. 087

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 6593, as amended by By-law No. 21-249, Respecting Lands Located at 311 and 313 Stone Church Road East

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 4 of Report 22-005 of the Planning Committee at its meeting held on the 13th day of April, 2022, which recommended that Zoning By-law No. 6593, be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

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

1. That Section 3 of By-law No. 21-249 is amended by adding the following special requirements as k) and l):
 - k) Notwithstanding Subsection 10E (7) (a) (i), a lot area not less than 33,500 square metres; and,
 - l) Notwithstanding Subsections 18A. (10), for the purpose of a Townhouse Dwelling and Maisonette Dwelling, only the accessibility to one of the

required parking spaces may be obstructed by any other required parking spaces for the same single-family dwelling unit.

2. That this By-law shall not come into force and effect until such time as By-law No. 21-149 is in full force and effect;
3. In all other respects, By-law No. 21-249 is hereby confirmed, unchanged; and,
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 22-C

Authority: Item 4, Planning Committee
Report: 22-005 (PED22046)
CM: April 13, 2022
Ward: 10

Bill No.

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands known as Green Millen Shore Estates (Frances Avenue, Southshore Crescent, Lakefront Drive, Waterview Drive, Lakewalk Drive), Stoney Creek

WHEREAS the *City of Hamilton Act 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS Council, in approving Item 4 of Report 22-005 of the Planning Committee, at its meeting held on the 13th day of April, 2022, recommended that Zoning By-law No. 3692-92 (Stoney Creek) be amended as hereinafter provided;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 3692-92 (Stoney Creek) as follows:

1. That Map No. 1 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended by a change in zoning from the Residential "R6-5" Zone to the Multiple Residential "RM3-40" Zone and the Multiple Residential "RM3-41" Zone, a change in zoning from the Multiple Residential "RM3-40" Zone to the Residential "R6-5" Zone, and from the Multiple Residential "RM3-41" Zone to the Multiple Residential "RM3-40" Zone for the lands known as Green Millen Shore Estates, attached as Schedule "B-2" to this By-law.

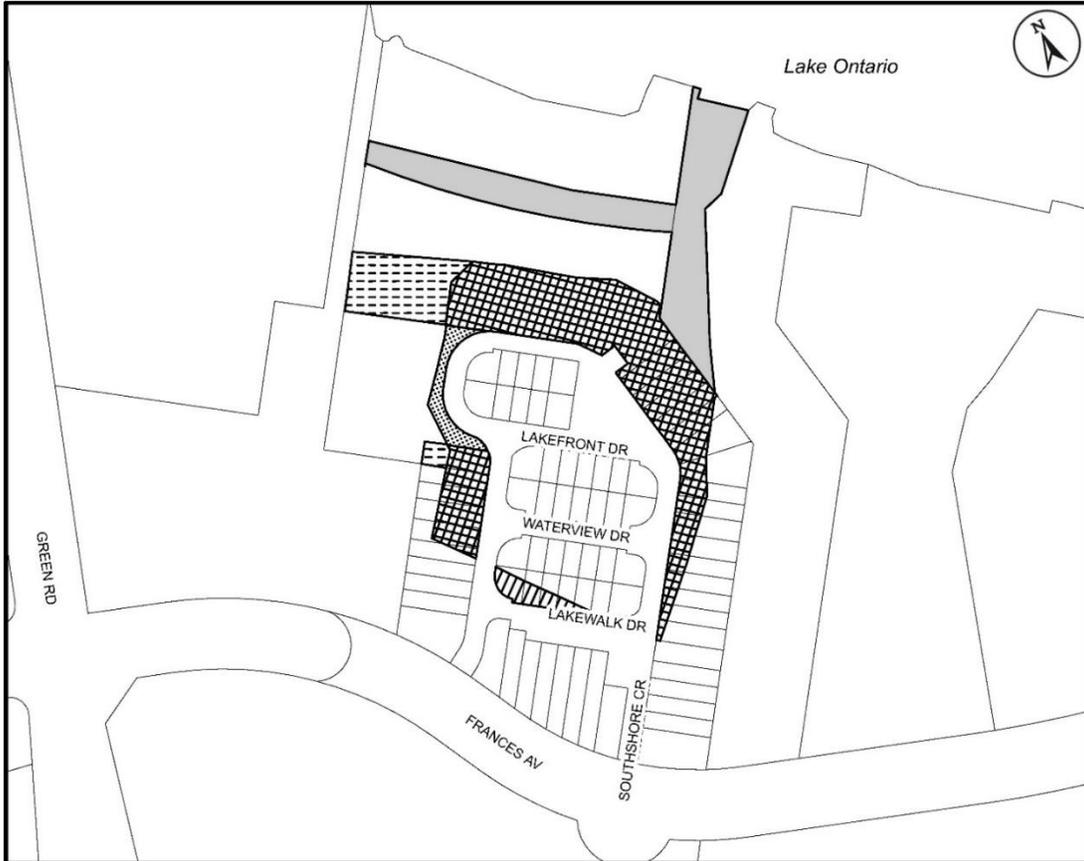
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 13th day of April, 2022

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

CI 22-C



<p>This is Schedule "B-2" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p>Schedule "B-2"</p> <p>Map forming Part of</p> <p>By-law No. 22-_____</p> <p>to Amend By-law No. 3692-92</p>	<p>Subject Property</p> <p>Green Millan Shore Estates</p> <ul style="list-style-type: none"> Change in zoning from the Multiple Residential "RM3-40" Zone to the Residential "R6-5" Zone Change in zoning from the Residential "R6-5" Zone to the Multiple Residential "RM3-40" Zone Change in zoning from the Multiple Residential "RM3-41" Zone to the Multiple Residential "RM3-40" Zone Change in zoning from the Residential "R6-5" Zone to the Multiple Residential "RM3-41" Zone Refer to Zoning By-law No. 05-200
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<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-08-079</p>	<p>Hamilton</p>
<p>Date: January 7, 2022</p>	<p>Planner/Technician: AF/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

CITY OF HAMILTON

BY-LAW NO. 22-

To Confirm the Proceedings of City Council at its meeting held on April 13, 2022.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 13th day of April 2022, in respect of each recommendation contained in

Board of Health Report 22-004 – April 4, 2022,
Public Works Committee Report 22-005 – April 4, 2022,
Planning Committee Report 22-005 – April 5, 2022,
General Issues Committee Report 22-007 – April 6, 2022,
Sole Voting Member of the Hamilton Farmers' Market Report 22-002 – April 6, 2022,
Audit, Finance & Administration Committee Report 22-008 – April 7, 2022,
and
Emergency & Community Services Committee Report 22-005 – April 7, 2022

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk