



City of Hamilton

PLANNING COMMITTEE ADDENDUM

Meeting #: 23-005
Date: April 4, 2023
Time: 9:30 a.m.
Location: Council Chambers (Planning)
Hamilton City Hall
71 Main Street West

Lisa Kelsey, Legislative Coordinator (905) 546-2424 ext. 4605

	Pages
5. COMMUNICATIONS	
*5.2 Greg Dunnett, Hamilton Chamber of Commerce respecting Outdoor Commercial Patios - Routine Minor Variances and Temporary Use By-laws (Item 12.1)	4
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15. PRIVATE AND CONFIDENTIAL	

*15.2 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-19-012), Zoning By-law Amendment Application (ZAC-19-044) and Draft Plan of Subdivision Application (25T-201905) for lands located at the Northeast and Southeast corners of Highway No. 6 and 30 Dundas Street East, Flamborough (OLT-21-001345) (LS22004(a)/PED22019(a)) (Ward 15)

Pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) 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; 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.

*15.3 Appeal to the Ontario Land Tribunal (OLT) of By-law #22-258, Melville Street Heritage Conservation District Study Area (LS23017/PED23075) (Ward 13)

Pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) 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; 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.

*15.4 Committee of Adjustment Decision regarding Minor Variance Application (AN/A-22:180) for Lands Located at 64 Lovers Lane, Ancaster (LS23015) (Ward 12)

Pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) 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; 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.



April 4, 2023

**Re: Item 12.1 – Outdoor Commercial Patios
Routine Minor Variances and Temporary Use By-laws**

As President & CEO of the Hamilton Chamber of Commerce, I have the privilege of speaking for our nearly 1,000 member organizations that employ over 75,000 people in our community, including dozens of local hospitality and restaurant establishments. I would like to take this opportunity to express our support for Councillor Francis' Motion, "Outdoor Commercial Patios – Routine Minor Variances and Temporary Use By-Laws," and recommend its endorsement by the Planning Committee.

Most recently, City Council ratified the Motion approved at the General Issues Committee to waive Temporary Outdoor Patio Application Fees and Installation of Safety Devices Fee that will save Hamilton hospitality operators up to \$1,400 this summer as our community embraces the season, gets together with family and friends to enjoy each other's company and celebrate, while simultaneously creating jobs and generating significant economic activity for this sector of our economy. The Chamber was ardently in support of the previous motion and would like to express its support for the subject motion today.

It is no secret that the hospitality sector has endured significant economic hardships over the past several years and continues to experience lingering impacts of the COVID-19 pandemic. From the revolving operating restrictions, to the ongoing supply chain related cost increases, to the significant labour shift that saw thousands of hospitality workers seek employment in new sectors, our hospitality economy has weathered a unique storm and requires ongoing tailored supports to boost business and business confidence.

In response to this specific need and in recognizing the importance to the vibrancy and vitality of our community, the Hamilton Chamber of Commerce has created a specific membership class for hospitality sector organizations. This class only charges an introductory member rate to join the Chamber to help create and leverage new business opportunities for them and their employees, while simultaneously providing them significantly discounted access to Chambers Insurance Plan, that provides comprehensive benefits coverage to over 30,000 organizations nationwide. We strongly believe in supporting our hospitality and restaurant members through the unique economic challenges they continue to face.

The success of the Temporary Outdoor Patio Program is evidenced enough by Council's decision in 2022 to make the program permanent and moreover by the significant participation in the program that has seen well over 150 local hospitality and



restaurant organizations register since the program began in 2020. It is also noted, however, that the administration and set-up costs associated with the program are significant and can potentially otherwise compromise a successful revenue stream.

The Motion as presented will help offset a generous portion of these costs, particularly for hospitality operators who may not have been able to participate in the past few seasons given the need for a Minor Variance Application, which is cost-prohibitive for many at this time. Amending the interpretation of Routine Minor Variance Applications in the Tariff of Fees By-law to include variances to the zoning by-law regulations for Outdoor Commercial Patios and the temporary use provisions where a Temporary Use By-law applies to the property for Outdoor Commercial Patios as a Routine Minor Variance is a prudential investment that will only help to onboard additional businesses to participate in the program, improving the equity and accessibility of Temporary Outdoor Patios.

This is a significant and positive investment in our community that will not only help Hamilton's hospitality sector by cutting administrative red tape, but also to create economic opportunity and jobs for Hamiltonians. For comparison's sake, the City of Toronto's CaféTO program in 2021 generated \$206M in economic activity, served approximately 5 million customers at 940 participating organizations, and analyses estimate that approximately 36% of all restaurant sales during that period were from the CaféTO program ([2021 CaféTO Economic Benefits Study](#)). While operating at a smaller scale, one can clearly see the parallel positive economic impact of the City of Hamilton's Temporary Outdoor Patio Program locally.

The Chamber is ecstatic at the creativity and effort brought forth by this Council to bolster our community's well-known and celebrated hospitality sector. While still not at pre-pandemic levels, investments and policy decisions like these are proactive steps to help them regain their footing. Let's continue this tradition of creating new opportunities for restauranteurs and other entrepreneurs in our community to bring Hamilton to life with their partners at the municipality.

In closing, the Hamilton Chamber of Commerce would like to express its support for the motion as drafted and believe that this is a productive investment into Hamilton's hospitality industry that will generate significant social and economic returns.

Regards,

A handwritten signature in black ink, appearing to read 'GDG', with a stylized flourish extending from the end.

Greg Dunnett
President & CEO

CITY OF HAMILTON NOTICE OF MOTION

Planning Committee: April 4, 2023

MOVED BY COUNCILLOR T. MCMEEKIN.....

Demolition Permit for 1262 Centre Road, Flamborough

WHEREAS, the owner of the above-mentioned property would like to demolish the existing dwelling without having to obtain a Building Permit for a replacement building.

WHEREAS, in order to preserve the land, in a safe and secure manner, the family has removed (with building permit) the dilapidated garage. The remaining house is beyond repair and dangerous for people to enter, yet people continue to break in

WHEREAS, for the past 25 years, the majority of the 32 acres has been rented and farmed by a local farming family, Robinson Farms. This parcel would also be incorporated into farmland.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 1262 Centre Road, Flamborough, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions in Sub-Section 6.(a) of Demolition Control Area By-law 22-101.