



City of Hamilton

CITY COUNCIL ADDENDUM

Friday, August 18, 2023, 9:30 A.M.

Council Chambers

Hamilton City Hall

71 Main Street West

5. COMMUNICATIONS

*5.10 Correspondence respecting Public Feedback and Recommendations for an Encampment Protocol and Sanctioned Sites (HSC20036(g)) (City Wide) - REVISED:

- *a. Kevin Brazil
- *b. Nicole Tecu
- *c. Nicole Tecu (2)
- *d. Nelson Castillo
- *e. Kelly & Bert Oucharek
- *f. Kelly & Bert Oucharek (2)
- *g. Kelly & Bert Oucharek (3)
- *h. Kelly & Bert Oucharek (4)

- *i. Annabel Krupp
- *j. Kelly & Bert Oucharek (5)
- *k. Jamesville Redevelopment Limited Partnership

Recommendation: Be received and referred to the consideration of Item 2 of General Issues Committee Report 23-023.

- *5.11 Correspondence from the Mayor of the City of North Bay inviting all Mayor's and CAO's to participate in the Pride parade on Saturday, September 16th.

Recommendation: Be received.

- *5.12 Correspondence from Thea Symonds, Woman Abuse Working Group's 2022 Snapshot for Hamilton from January to December 2022.

Recommendation: Be received and referred to the consideration of Item 14 of General Issues Committee Report 23-023.

- *5.13 Correspondence from the Ministry of Infrastructure respecting Red Tape Reduction for Designated Broadband Projects.

Recommendation: Be received and referred to the City Manager for appropriate action.

- *5.14 Correspondence from Mark Pearson, Executive Director, Canadian Institute of Forestry respecting National Forest Week (September 17 - 23, 2023).

Recommendation: Be received.

- *5.15 Correspondence from Marijus Gudinkas respecting a plan to axe or reduce parking requirements for developments in Hamilton's residential areas is not a good idea.

Recommendation: Be received and referred to Item 9 of Planning Committee Report 23-012.

8. NOTICES OF MOTIONS

- *8.1 Support for Francophone Seniors Active Living Centre (SALCA) in Hamilton

- *8.2 Appointment of an Acting City Clerk

- *8.3 Municipal Protected Areas Project Pilot Program – Ontario Nature

- *8.4 Wentworth Street North in Proximity to Cathy Wever Elementary School 30 km/h Speed Limit Reduction Pilot (Ward 3)

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

- *8.5 Compassionate Grant Assistance Program for Mitigation of Flooding Risk involving Private Residences on Foxtrot Drive and Foxmeadow Drive, Stoney Creek
- *8.6 Closing King Street East for the Boots in the Creek Festival

12. BY-LAWS AND CONFIRMING BY-LAW

*12.6 145

To Adopt Official Plan Amendment No. 187 to the Urban Hamilton Official Plan Respecting 1093 Fennell Avenue East

Ward: 6

*12.7 146

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 1093 Fennell Avenue East, Hamilton

ZAC-22-045

Ward: 6

*12.8 147

To Adopt Official Plan Amendment No. 186 to the Urban Hamilton Official Plan Respecting 3479 Binbrook Road, Glanbrook

Ward: 11

*12.9 148

To Amend Zoning By-law No. 464 (Glanbrook) Resecting Lands Located at 3479 Binbrook Road, Glanbrook

Ward: 11

UHOPA-23-015

ZAC-22-008

25T-202201

Ward: 11

*12.10 149

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 3479 Binbrook Road, Glanbrook

ZAC-22-008

Ward: 11

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

- *12.11 150
To Repeal By-law Nos. 19-182 and 19-183 and to Appoint an Acting City Clerk for the City of Hamilton
Ward: City Wide
- *12.12 151
To Amend Zoning By-law No. 05-200, Respecting Lands Located at 200 Centennial Parkway North in the City of Hamilton
ZAC-22-013
Ward: 5
- *12.13 152
To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 311 Rymal Road East, Hamilton
ZAR-22-052
Ward: 7
- *12.14 153
To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 631 and 639 Rymal Road West, Hamilton
ZAC-22-028
Ward: 14
- *12.15 154
A By-law to Repeal and Replace By-law No. 13-064, being a By-law for the Delegation of Authority to the Treasurer and Deputy Treasurers for Assessment Appeals
Ward: City Wide
- *12.16 155
To Adopt Official Plan Amendment No. 189 to the Urban Hamilton Official Plan Respecting 382 Southcote Road (former Town of Ancaster)
Ward: 12

*12.17 156

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 382 Southcote Road, Ancaster

ZAR-23-003

UHOPA-23-003

Ward: 12

*12.18 157

To Adopt Official Plan Amendment No. 190 to the Urban Hamilton Official Plan Respecting 95, 99, 103 and Highway 8 (former City of Stoney Creek)

Ward: 5

*12.19 158

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 95, 99, 103 and 105 Highway 8, Stoney Creek

Ward: 5

ZAC-23-034

Pilon, Janet

Subject: HATS Project located at Strachan and James

From: Kevin Brazil

Sent: August 16, 2023 5:00 PM

To: clerk@hamilton.ca; Office of the Mayor <Officeofthe.Mayor@hamilton.ca>; MR - City Hall - Council Chambers (seats 70) <CityHall.CouncilChambers@hamilton.ca>

Subject: HATS Project located at Strachan and James

City of Hamilton Council Members

Please accept this to be considered by council prior to the ratification vote scheduled for August 18th 2023.
Kindly respond.

To Whom it May Concern,

We are writing this letter in recognition of a petition with over 330 individuals who have signed a petition voicing their strong opposition – all signing over a busy summer weekend when many residents are off line and on vacation.

We are writing this letter in our North End neighborhood that has previously supported and continues to encourage numerous public initiatives, including the Indwell Building at 500 James St. N , Bennetto Rec Centre used as COVID recovery centre, 500 McNab revitalization and Pier 8 Habitat affordable homes.

All of these initiatives were achieved with neighborhood engagements and support.

The current proposed HATS project to erect and maintain 25 tiny shelters as well as auxiliary buildings to support the residents of these shelters has failed to include community engagement at any point thus far. It has also failed to garner community support. Indeed, significant opposition has been steadily growing and vociferous over the 6 short days notice provided to the Community by the City.

Given the significance and neighbourhood impacts to convert established park land to homeless shelters, should we not have been made aware of what is to transpire in our community at a reasonable time before Council ratification after which only seriously costly avenues of redress are then available?

Should we not be given the opportunity to voice our opinions when they are of use to City planners and City management? As it is, the initiative will be fast-tracked (from public notice to ratification within 8 days over the height of summer when many are not in residence) prior to allowing for any useful dialogue with community residents and stake-holders.

The concerns we have at this time are as follows (not an exhaustive list):

– Zero Public engagement in the adjacent areas to date.

– Recent (Wednesday August 16th 2023) confirmation of planning justification via use of an extremely rare section of bylaw 05-200, specifically section 4.4 which speaks to the ability to allow for Public Uses Permitted in all zones with no exceptions.

- The above planning justification excludes the community from participating in any further project proposals from HATS on this site that may include auxiliary buildings and other ancillary uses.

- By use of this rare clause staff have confirmed via email, that this is not a HATS project but rather a City of Hamilton initiative with HATS being a provider of the service, otherwise the clause is not usable in this instance.

Why is this concerning?

As opposed to most other planning initiatives throughout the city, due to this “notwithstanding” clause being utilized the following does not apply:

- Zoning definition (P4)
- Adequate serving of the zoning bylaw does not apply
- Parking requirements do not apply
- Permitted Uses List for a P4 zone does not apply

The view of this group now confirmed from email received from Director of Planning – Steve Robichaud is that the use of this rarely utilized clause is merely a workaround to prevent a zoning change that would spark official public consultation.

Please accept this letter as a formal appeal to the vote on this item today, please table the vote and follow the protocols that are in place. We urge you to respect our fears and concerns and allow for fair democratic process.

Thank you

Kevin Brazil

Pilon, Janet

Subject: Proposed Tiny Home Community on Strachan Street in Hamilton**From:** ALEX TECU**Sent:** August 13, 2023 7:12 PM**To:** Teviah Moro <tmoro@thespec.com>; Ward 2 <ward2@hamilton.ca>; Kroetsch, Cameron <Cameron.Kroetsch@hamilton.ca>; Unsheltered <unsheltered@hamilton.ca>; Office of the Mayor <Officeofthe.Mayor@hamilton.ca>; clerk@hamilton.ca; Stephenson, Michelle <Michelle.Stephenson@hamilton.ca>; bennetto@hwdsb.on.ca; info@hwdsb.on.ca; sdahab@hwdsb.on.ca; khussey@hwdsb.on.ca**Subject:** Proposed Tiny Home Community on Strachan Street in Hamilton

Sunday August 13, 2023

RE: Proposed Tiny Home Community on Strachan Street in Hamilton

To Whom it May Concern,

I grew up in the North End, and I attended the former Bennetto school, as well as the current Bennetto School (previously Centennial Elementary School).

I am heartbroken to hear that a tiny home community is being built about 100m away from a kindergarten playground.

I am not opposed to helping homeless people who are in need of support. I am opposed to doing so by providing shelter in a location that may affect children in a negative way. The north end neighborhood is in need and the people are struggling. Bennetto is a high priority school and an area of focus due to low student achievement, high needs and based on census data. From the school yard, children will be able to visually see what takes place at the tiny home community. We need to help break the cycle for these kids so that they do not accept this as the norm. It is not equitable for these kids, as they deserve the ability to be sheltered from these influences during the school hours. We need to protect these children and elevate them to change their story. Schools are supposed to be a safe haven. This is the only public school in the neighborhood, and many kids are bused to Bennetto each day.

I am aware that there are sometimes tents around Bay Street at Strachan, and while I do not think it's the best location, those tents are still seasonal and are mostly not present during the school year. The tiny home community will be more permanent and year-round.

Why did the city close the survey on Strachan and James, displacing hundreds of low-income families to then pay to have some people live across the street? Also, why did we relocate the mission's services on James Street, removing additional support for the potential tiny home occupants. I'm not sure that this tiny home community will attract commuters to the West Harbour go station, and I'm surprised that CN rail welcomes this community so close to their property lines.

I would like to add that the tiny home community in Kitchener is located off the highway in an industrial area (49 Ardelt Ave), nowhere near homes or schools. Can we not find a more suitable non-residential location?

I do not have any children that currently attend Bennetto school, and I am writing to you today because it's the right thing to do. Please consider a different location for this tiny home community. This location decision should be a North End community decision, and I think that you would be hard pressed to find support for this location, within the community.

Thank you for taking the time to hear my concerns,
Nicole Tecu

Pilon, Janet

Subject: Proposed Tiny Home Community on Strachan Street in Hamilton

From: ALEX TECU

Sent: August 14, 2023 12:15 PM

To: Kroetsch, Cameron <Cameron.Kroetsch@hamilton.ca>

Cc: bennetto@hwdsb.on.ca; clerk@hamilton.ca; info@hwdsb.on.ca; khussey@hwdsb.on.ca; Office of the Mayor <Officeofthe.Mayor@hamilton.ca>; Stephenson, Michelle <Michelle.Stephenson@hamilton.ca>; sdahab@hwdsb.on.ca; Teviah Moro <tmoro@thespec.com>; Unsheltered <unsheltered@hamilton.ca>; Ward 2 <ward2@hamilton.ca>

Subject: Re: Proposed Tiny Home Community on Strachan Street in Hamilton

Hi there,

I would also like to draw to your attention to the map attached, indicating where the site will be located. This was reported by the CBC this week. I feel that it conveniently covers up that there's a school within visual view from the site. The entire school is omitted from the image. I do not feel like the school concerns are being publicly discussed or acknowledged.

In my opinion this is reckless.

Thanks

Nicole



Pilon, Janet

Subject: PERMANENT SUPPORTIVE HOUSING

From: Nelson Castillo

Sent: August 15, 2023 3:08 PM

To: clerk@hamilton.ca

Subject: PERMANENT SUPPORTIVE HOUSING

I live in the North End and my step-children attend Bennetto Elementary school. Strachan St is not the right location for shed houses with so many young families in the neighborhood, and only 100 meters away from Bennetto School. It is disturbing that the city would suggest a site so close to an elementary school. The pilot location should be far from any school and any park where children play. If you want it in this area, please consider the vacant Barton/Tiffany lands.

Please also consider giving the money allocated for the operation of the shed houses to Indwell, who is leading the way with innovation building affordable PERMANENT SUPPORTIVE HOUSING in our city.

Nelson Castillo

Pilon, Janet

Subject: correspondence for encampment protocol and HATS project

From: Kelly & Bert Oucharek

Sent: August 17, 2023 1:32 AM

To: clerk@hamilton.ca

Subject: correspondence for encampment protocol and HATS project

Hello, Is it possible to add these photos and links to videos to be added to the public record regarding the Encampment Protocol and HATS project. I copy and pasted the commentary as well, though it looks a little messy.



[Location of our Tiny Home village. | By Kris | Facebook](#) (link to video about sight lines and proximity to Bennetto School)

Attention NE residents

In order for the city to put housing on the James/Strachan parking lot the bylaws must be changed

Changing bylaws mean NE residents can file a case with the OMB

The parking lot is designated P4

There are certain restrictions for using P4 land

The main usages are gardens and outdoor recreational uses.

One is seasonal camping. Will the city try to imply these 12 month homes are seasonal to change the bylaw?

Another bylaw states there must be min 7.5 metres between dwellings

Another bylaw states that parking spots must be given for dwellings

So are these proposed units sheds or dwellings?

The city is going to have to change bylaws to be in legal compliance

The city is trying to say this is a non profit groups project

[Kelly Bert Dion Oucharek](#) During covid when people were not supposed to gather, Cameron wanted James st closed off so people could mingle. Council shot him down along with many of his other ideas. As not being good uses for tax dollars. But a heavy campaign was launched in the last election to get him a seat at the council.

And now he can waste tax dollars for his “ progressive” desires whenever he wants

The wants and needs of the residents come second

- Update
- The homeless village in the Strachan/James parking lot is approved. Will become official next week.

Also approved is the homeless can camp in any park in the city as long as there are no more than 5 tents(no size limitations) and 100metres from childrens play areas.

The ward 2 councillor for the North End voted FOR the parking lot village. The ward 2 councillor also wanted tents in parks to be 50 mtrs from play areas but was voted down

Some councillors wanted the restriction to be 150 metres but were voted down. 150 would void the parking lot village as it is 127 metres from children

Citizens can complain if they see more than 5 tents in a park or open drug use

- [Kelly Bert Dion Oucharek](#) it really is sad. I keep thinking I'm going to stay in the neighborhood and stick it out. My family has been here in this house for 45 years. But I just can't afford to live here anymore... Our properties get ransacked every night. I can't afford to keep replacing everything for it to get stolen again. The government raised the interest rates so it doesn't make sense to sell and move.... who can afford it??? so what are we supposed to do???? We save and save and save to be able to purchase properties. (from family or not) just for the property value to drop to basically nothing because NO ONE WILL BUY A HOUSE BESIDE ENCAMPMENTS. If Cameron Kroetsch is so FOR this then why doesn't he offer HIS PROPERTY (or a park close to his house) INSTEAD OF ALL OF OURS

[Kelly Bert Dion Oucharek](#) i thought Farr was a good councillor. Any time i had an issue and some were serious he resolved it Quickly

Many of the ideas Cameron had to waste tax dollars for progressive ideas were shot down for good reasons by council.

Many of the councillors now feel with their superior wisdom they know what the people should want and need without getting input

Thank you

Kelly Oucharek

Pilon, Janet

Subject: Communication Re: HATS project and Encampment Policy

From: Kelly & Bert Oucharek

Sent: August 17, 2023 2:10 AM

To: clerk@hamilton.ca

Subject: Communication Re: HATS project and Encampment Policy

Hello

Also for the public record before this Friday's meeting, all from the Welcome to The North End facebook group



[Jane Weary](#) yes I think this was planed even before our councilors new. Think there is a bigger problem at city hall than we all know about

[Jane Weary](#)

Author



fightagainst being ignored and excluded from City's deliberative process...in Barton St and other wards where this initiative has been introduced, local residents were respected and their opposition acknowledged.

Why not the North End? Especially when we support and welcome numerous high need accommodation already. More so certainly than a number of other Wards. It sure makes you wonder.

[Darcy Field](#)

Cameron love's encampments. They keep the government money flowing into all his buddies organizations.

[Kelly Bert Dion Oucharek](#) selling will be even more stressful. All my equity is in my home. I need to get as much out of it as I can. And who will want to move into this neighborhood? Shame on our city.

[Darcy Field](#)

Unfortunately our councillor Cameron Kroetsch has his own agenda. It will be up to us residents to make sure these homes never get built at this location.

[Darcy Field Cameron Kroetsch](#) allowing city staff to 🤖 on our neighbourhood bc he doesn't live in our neighbourhood

[Jane Weary](#)



Note also that his response is ALL apple pie and motherhood about being generous to the unfortunate BUT devoid of any reference to the actual residents of the north end and their needs/rights!



[Kelly Bert Dion Oucharek](#)

Author

Top contributor

Yes Cameron Kroetsch you have failed miserably to consider the needs of the many children, they are voiceless in this-it is traumatic for kids to witness homelessness and addiction, overdoses (and ensuing life saving measures) and exposure to public nudity and crime. Kids in our neighbourhood have enough trauma and odds stacked against them, to witness homelessness or addiction as a normative part of their day is not right, especially in their formative years. "we have to pick a space you just said" in the absence of an ideal space, you pick one that will have a profound detrimental effect on a neighborhood you don't live in.

[Darcy Field](#) Ward 3 feels the same - we are not listened to. I'd be interested in your next steps,

Pilon, Janet

Subject: petition RE HATS site location

From: Kelly & Bert Oucharek

Sent: August 17, 2023 2:50 AM

To: clerk@hamilton.ca

Subject: petition RE HATS site location

Hello

Please add this petition and commentary taken from the Welcome to the North End Group to the public record ahead of Fridays ratifying vote.

Thank you

Kelly Oucharek

[Sign the Petition](#)



[Kelly Bert Dion Oucharek](#) exactly Kelly!

The organisation behind these Tiny Homes don't even view the Strachan site as appropriate!

[Kelly Bert Dion Oucharek](#)

Author

Top contributor

Thanks @ [Cameron Kroetsch](#), (and I mean this facetiously), for sticking up for your Ward, for our streets, for my neighbours, for our kids.

[Kelly Bert Dion Oucharek](#) I understand your frustration but I neither wrote the report nor made the recommendation. I'm reviewing several dozen reports for next week's meetings so haven't had time yet, since the report was released for the first time on Wednesday to me, to make any public comments on this. I'm aware of the concerns and will make a public statement on or before Monday.

[Kelly Bert Dion Oucharek](#) there was no such "vote against the encampment protocols", so not sure where that is coming from. We asked staff to revise their previous attempt and come back on August 14. That's the motion I voted on, if I recall correctly. In answer to your other questions, I am conferring with staff and I will provide my comments in a public statement soon. Thanks for the reply.

[Kelly Bert Dion Oucharek](#)

Author

Top contributor

[Alix Hume](#)

[Kelly Bert Dion Oucharek](#) I agree, Kelly. It is city staff making the decisions for our ward? What accountability do councillors have then? Should we be directing our concerns elsewhere? Also, is something new coming forward on Monday?

[Alix Hume](#)

Not fair to Strachan street residents! Our property values will drop even further if this happens. Encampments and tiny homes? Zero public consultation. Not impressed with this plan.

[Alix Hume](#) Absolutely! They spent millions on the path to encourage people to WALK to Bayfront. How is this proposal going to ENCOURAGE walking to Bayfront?

Even if they were given rules, do people honestly think they wouldn't just loiter around the area looking sketchy? Im sorry, but people will not want to walk through these areas especially night time.

Sad that they will ruin the street despite the millions spent on the path.

[Alix Hume](#) I cannot agree with you more! Please delegate and have your Strachan residents with you at City Hall!

[Kelly Bert Dion Oucharek](#) I found out about the proposal at the same time the public did. That's how Council reports work, unfortunately. I was not given access to the reports in advance.

[Kelly Bert Dion Oucharek](#)

Author

Top contributor

Cameron Kroetsch if you were not aware of this proposal that is concerning in two fronts. 1) how can this idea be developed and proposed under your nose without you even knowing. That is concerning that such a major development idea be put forth in your own ward without you knowing.

2) I also find it hard to believe that HATs did not come To you regarding this site prior to this. I knew Ward 2 was in trouble you were elected. You have undone so much work and progress that the previous councillor has made in making this a desirable location to live in

There are many empty buildings in Hamilton that would be easier to repurpose for housing.

Sir JOHN A MACdonald

Pilon, Janet

Subject: regarding HATS and encampment protocol

From: Kelly & Bert Oucharek

Sent: August 17, 2023 3:17 AM

To: clerk@hamilton.ca

Subject: regarding HATS and encampment protocol

Hello

In the absence of ANY public consultation in the proposed neighbourhood, please add these comments to the public record, taken from the WARD 2 Facebook page for the public record ahead of Fridays ratifying vote.

Thank you

Kelly Oucharek

[Jane Weary](#)

[Kelly Bert Dion Oucharek](#)

[Kelly Bert Dion Oucharek](#) I think the anxiety this will cause children in the neighbourhood should definitely be everyone's number one concern. Especially when it's proximity to a school is only located 12 m over the city's proposed radius.

There's also something to be said for the people who moved to this ward because of the Go Train station and their safety getting to work in the dark both during their morning and evening commutes.

And you're right, I guess they aren't really homes. But I think maybe we're supposed to call them Tiny Shelters over Sheds.

I believe I saw that they wanted to use the Jamesville Benetto community centre as an extension of the Tiny Shelters location for the washrooms/showers? Wouldn't that be considered too close to a school and playground? There's a playground there and St. Lawrence Catholic Elementary School is directly across the street (less than 100m away).

I'd also like to know if they would have the residents use the locker rooms at the same time as the children's programming? Would they add lockers to the change rooms so people can lock up their items while they are in the pool?

[Kelly Bert Dion Oucharek](#)

[Kelly Bert Dion Oucharek](#)

[Kelly Bert Dion Oucharek](#)

Ward 2 HamiltonCameron Kroetsch. Considering the urgency of the Tiny Shed community in the north end, would you consider changing your meeting schedule so the North End could go first and Durand later in the fall? Asking for a few friends...

Pilon, Janet

Subject: HATS Shelters decision

From: Annabel Krupp
Sent: August 17, 2023 11:22 AM
To: clerk@hamilton.ca
Subject: HATS Shelters decision

Hello,

Due to the lack of promised engagement with residents in advance of a tiny shelter site being selected, I'd like to ask council to defer their decision to a later date. Residents have many questions and, as stakeholders, deserve to be part of the conversation before a decision is made.

Thanks very much,
Annabel Krupp

To City Staff and Council

Please accept this letter as a formal appeal to the vote on this item Friday, August 18th, 2023. Please table the vote regarding Encampment Protocols and HATS project and follow the protocols that are in place to serve your citizens.

To Councilors Francis, Jackson, Pauls, Clark, Beattie and Spadafora

I thank you on behalf of the citizens of Hamilton for voting against the Encampment Protocol and HATS project.

To Mayor Horvath and Councilors Krotch, Maureen Wilson, Nann, Hwang, Danko, Tadeson, Alex Wilson, Cassar and McMeekin

Firstly, I would like to point out that someone who live across the street from the Strachan St Linear Park was left off the agenda for Mondays meeting, despite submitting his request on time. I wouldn't doubt that it was intentional as he is the president of the North End Neighbors Association. In the off chance it was a clerical error, I believe council and staff need to hear from him as he represents our neighborhood interests. He should have the opportunity to speak before you ratify, otherwise it is just a suspicious coincidence.

Secondly, I implore you to reconsider your vote for the encampment protocol and HATS project and site. I am writing to you as a concerned, life long north end resident and mom of 4. I have never felt unsafe in my neighbourhood, I have never questioned my decision to raise my children here, until recent years, coinciding with the encampments that have grown in the north end. Knowing my background may help to see where I am coming from. I grew up impoverished in the Jamesville Survey. My sister died from addiction 11 years ago. I have an uncle who was chosen homeless in Toronto and who died an early death just two weeks ago, years of homelessness taking its toll. I can and do empathize with their plight, yet I can also disagree with your protocol and the approach of a tiny shed village and its horrible location you have chosen. I refuse to call it a home because a home has a bathroom and kitchen and running water and room to store belongings without being an eyesore.

I disagree with the idea of the tiny shed community and the associated costs. The 2 million dollars can help a lot more people by having rent directly paid to landlords. The additional security costs of 1.5 million can help an even larger number of people, with more **DIGNITY**. What is the exit strategy if this doesn't work? Where will they go? Who will continue to fund this after the 2 years and the ensuing growth? I also do not feel that anything that requires 24 hour security belongs in a residential neighbourhood. My son is scared to use the Strachan St Linear Park. There has been marked decrease in use since the spring/summer began. I have witnessed people openly boiling drugs on a spoon, someone doing CPR on another, someone giving someone a blowjob, someone pooping in the bushes, all in one week-I actively avoid the area myself now and I live around the corner. Security also at the bathroom/shower facilities also? This does not make children and families feel safe as you might think. It makes them think wow what is going on in there that there needs to be a security guard? Also I thought tax

5.10(j)

payer money wasn't to be used for the HATS project. If you are providing money from the budget for security for the HATS site, that seems to be a lie. If there was no HATS, you wouldn't need that money for the site. I want to know your plans to mitigate every criteria HATS prefers/would like that is not present and that the homeless deserve.

Cameron Kroetsch, in January you tweeted that you were aiming to “address the conditions within encampments and provide access to basic services such as clean water and sanitation facilities, electricity and heat.” Your support of this site is not in keeping with what HATS envisioned or what you tweeted. You were also quoted in this past Mondays meeting saying “we just need to pick a spot”. To be honest you came across as an impatient child who wants what he wants and when he wants it, it was a little tantrum like.” It was like watching a kid throw a tantrum over a pair of shoes because he wants them so badly even though they don't fit.

Councillor Wilson, in Jan 2023, you were quoted in the SPEC saying that the city cannot endorse a project site, without first consulting area residents, “we have an obligation to do so” also echoing several councillors at the meeting. What has changed. No one knocked on our doors, no one called us, no one put a flyer in my mailbox and your timing is strategic no doubt, 3 of the direct residents across the street from this project are actually away on vacation and cannot even have a voice.

Council, how disappointing you just tried to pick a site without any feedback. I understand a couple of months ago you committed to public engagement regarding the HATS site. The last site didn't go over well due to lack of engagement from the community directly affected. What makes you think our feedback is not that important. It is futile if you do it after the fact. North Enders are understanding and have helped out considerably to the plight of the marginalized such as Indwell and Covid recovery Center. This was all done with public feedback/engagement. Converting our park space into a homeless shelter/encampment is significant, should we not be made aware as a community? Councillor Kroetsch, did you not seek extra tax paying dollars for this exact purpose-public engagement?

I have other concerns as well. I understand that there has been recent confirmation (Wednesday August 16th 2023) of planning justification via use of an extremely rare section of bylaw 05-200, specifically section 4.4. which speaks to the ability to allow for Public Uses Permitted in all zones with no exceptions. The above planning justification excludes the community from participating in any further project proposals from HATS on this site that may include auxiliary buildings and other ancillary uses. By use of this rare clause staff have confirmed that this is not a HATS project but rather a City of Hamilton initiative with HATS being a provider of the service, otherwise the clause is not usable in this instance.

This is also concerning as opposed to most other planning initiatives throughout the city, due to this “notwithstanding” clause being utilized the following does not apply:

- Zoning definition (P4)
- Adequate serving of the zoning bylaw does not apply
- Parking requirements do not apply
- Permitted Uses List for a P4 zone does not apply

5.10(j)

This has been confirmed from email from Director of Planning – Steve Robichaud who states that the use of this rarely utilized clause is merely a workaround to prevent a zoning change that would spark official public consultation.

Please accept this letter as a formal appeal to the vote on this item today, please table the vote and follow the protocols that are in place.

Regarding encampments in Park Spaces overall, you talk about lived experiences. We who live close to any encampment in our recreational spaces also have lived experiences that you ignore. Just because we have a roof over our heads and jobs, it does not mean our experiences do not matter. You have catered to a small number of people to the detriment of your entire wards and communities. ***They do not belong in parks as residents who pay taxes can no longer safely enjoy them.*** **No, one should have to witness public nudity, sex acts, OPEN DRUG USE, especially children.** Unless you live by an encampment or would welcome one into your street, I don't think you have the right to tell us what we should have to endure.

I would like to know if you considered the following spaces for encampments and HATS projects and why they are not suitable. They fit as many if not more criteria than Strachan ST and have lower impact on residents

- 1) Barton and Tiffany Lands
- 2) York BLVD across from the Cemetary (also P4, partially fenced, larger area, shade, accessible)
- 3) St Joseph's hospital W5 lands
- 4) Down by the waterfront where there is lots of room to spare
- 5) Develop your sidewalks for the scout house location
- 6) SJAM site

I do purport that you are holding onto some of these larger lands to bring in developer bucks, but perhaps you need to rethink and use these as a more suitable place to house people.

Sincerely and Concerned with the state of the encampments and your protocols,

Kelly Oucharek and family

Hello

I am writing to you as a concerned, life long, north end resident and mom of 4. I have never felt unsafe in my neighbourhood, I have never questioned my decision to raise my children here, until recent years, coinciding with the encampments that have grown in the north end.

I also live quite close to the newly proposed village of 25 tiny sheds that is planned to be erected on Strachan St N, between James and Hughson. This is a mere 110m from Bennetto School (just 10m over the proposed acceptable distance) and 450m from St. Lawrence School. I will attach the proposals here for ease, but note the tiny sheds is to be a 2 yr pilot, with no bathroom/kitchen facilities onsite. They are expected to use "existing recreation and City Parks facilities". The tiny shed location only meets 2/8 "preferred" criteria and 2/7 "would be nice" criteria.

It is important to note, these bathroom facilities require and will have 24 hr security as will the tiny shed community. Walking by the rec center and tiny shed community that requires 24 hr security does not give a feeling of safety. In fact, it does the opposite. It makes one question the safety of the tiny shed community and recreation center, which is a place kids often go to escape already harsh realities. It gives an unsettled feeling.

I know many of your students and families walk back and forth to school over the bridge, it is unavoidable. There is no way for them to avoid the horrible visuals the City of Hamilton and our Ward 2 Councillor Cameron Kroetsch decided is acceptable. I am thinking of the tender aged students who walk back and forth to the LAFF program at Welcome Inn, to the after-school program at Bennetto Recreation Center and to the Jamesville daycare.

This is where I feel you, as educators and leaders in our community, have a distinct ability, and duty, to advocate for the students and families who attend your schools. You are well aware of the odds stacked against some of our more vulnerable students. You know the damage that can be done to young minds in their formative years, from being exposed to homelessness; individuals participating in open drug use and sex acts; to public urination and defecation. A lot of children in our community are already facing a unique set of challenges that other neighborhoods may not. Normalizing the above list of behaviours will do irreparable damage.

Further to the tiny shed community, the encampment policy has not changed and the encampments can continue to exist just over 100m of our parks and schools. This is acceptable to our City Council and Ward 2 Councillor. Our students and families will continue to walk by these encampments as they travel to and from schools.

I ask that you promptly speak up in writing, within your school boards to your trustees, to your superintendents, to our Ward 2 Councillor and use any tools at your disposal to

advocate for your students. Time is of the essence as Council will be acting on these matters in the coming days.

Thank you for your consideration,
Kelly Oucharek

JAMESVILLE REDEVELOPMENT LIMITED PARTNERSHIP

145 REYNOLDS STREET, SUITE 400 | OAKVILLE, ONTARIO | L6J 0A7 |

Thursday August 17th, 2023

*c/o Office of the City Clerk
City of Hamilton
71 Main St. W., 1st Floor
Hamilton, Ontario, Canada L8P 4Y5*

Members of City Council,

We represent the Jamesville Redevelopment site located at the intersection of James Street North and Stachan Street East, directly across from the proposed location for the Hamilton Alliances for Tiny Shelters (HATS) project. Currently our project remains at risk due to an appeal on a zoning approval by CN Rail filed against the City of Hamilton due to the proximity of our site to the CN Railyards.

Since 2019, we have been working in collaboration with CityHousing Hamilton (CHH), Indwell, and the City of Hamilton to deliver new affordable and market housing units to the Jamesville neighbourhood based on the needs of the community. This was achieved through extensive consultation with the City of Hamilton and the Jamesville community to ensure that an opportunity was given for residents, local businesses and stakeholders to voice their concerns and provide feedback.

Without notice, we were indirectly informed that City Council is planning to vote on establishing a sanctioned encampment adjacent to the proposed redevelopment site. We have not been granted the opportunity of a consultation with any member from the City, in order for us to understand the parameters of the HATS project and any implications this will have on the CN appeal and any other impacts on the Jamesville Redevelopment. Without proper consultation, there is a risk of consequences that could negatively affect both residents and businesses alike for the foreseeable future.

We believe the City of Hamilton's housing crisis is best addressed through focused efforts on long-term, affordable housing solutions. Our current plan would provide the community with 166 affordable housing units in partnership with CHH and Indwell, along with 287 market units. We believe that a short-term, rushed solution is not worth putting the future of the community at risk without proper consultation.

We ask that City Council defer their vote on this project until a proper consultation is completed with the community and all appropriate stakeholders.

Thank you for your attention to this matter. We look forward to a constructive dialogue that will lead to a strong future for the Jamesville community.

On behalf of the Jamesville Redevelopment Limited Partnership.

DeSantis Homes, Marz Homes, Melrose Investments Inc. & FRAM Slokker



**The Corporation of the
City of North Bay**

200 McIntyre St. East
North Bay, Ontario
Canada P1B 8V6

Office of the Mayor

Direct Line: (705) 474-0400, ext. 2517
Toll Free: 1-800-465-1882
Email: mayorchirico@northbay.ca

July 6th, 2023

To Mayor's and CAO's

I am proud to participate in the Pride parade on Saturday, September 16th and would like to encourage all Regional Mayor's and CAO's to also take part.

Pride parades are a celebration of love, equality, and inclusivity, and I firmly believe in promoting these values within our community.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Chirico".

Peter Chirico
Mayor
City of North Bay

/lc

Pilon, Janet

Subject: Invitation to Attend and Walk with Mayor Peter Chirico in Solidarity Against Hate at North Bay Pride March
From: North Bay Pride <fiertenorthbaypride@gmail.com>
Sent: Friday, July 14, 2023 11:12 AM
Cc: Peter CHIRICO <mayorchirico@northbay.ca>; Linda Cook <linda.cook@northbay.ca>
Subject: Invitation to Attend and Walk with Mayor Peter Chirico in Solidarity Against Hate at North Bay Pride March

Dear Mayor and Council,

I hope this letter finds you in good health and high spirits. I am writing to extend a heartfelt invitation to you and the esteemed members of your city council to join us in a remarkable event that embodies unity, love, and the shared commitment to eradicating hate. On behalf of Mayor Peter Chirico of North Bay, Ontario, we cordially invite you to attend and walk with us during the Pride March in North Bay on September 16, 2023 which starts at 1pm.

We are witnessing a concerning rise in hate and discrimination against the 2SLGBTQ+ community across the province. It is crucial, now more than ever, that municipal officials like yourself take a stand and lead by example in denouncing such acts of hatred. By actively participating in the North Bay Pride March, we can collectively demonstrate our unwavering support for the 2SLGBTQ+ community across Canada and our firm commitment to combating hate in all its forms.

The Pride March in North Bay serves as a significant platform to stand up against hate and celebrate the diversity and inclusivity that thrive within our communities. By coming together in a show of solidarity, we can create a powerful message that reverberates across the entire province and resonates with people from all walks of life. Our collective presence will not only demonstrate our commitment to supporting the 2SLGBTQ+ community but also highlight our shared vision of a society free from prejudice and discrimination.

As mayors and city council members, you hold a unique position of influence within our communities. By attending this event, we can inspire other municipal officials, residents, and individuals across the province and country to actively engage in promoting acceptance and equality. By demonstrating our unity and resolve, we can set an example that shows the strength and power of standing together against hate.

Furthermore, the media impact of such a gathering cannot be underestimated. As mayors and city council members, we have a responsibility to be champions of positive change and to lead by example. The presence of multiple mayors and city council members from different regions at the North Bay Pride March will undoubtedly attract significant media attention. This will provide an exceptional platform to promote the values of acceptance, equality, and love, and to showcase the united front we present in the face of bigotry.

We kindly request that you confirm your attendance as soon as possible, allowing us sufficient time to make the necessary arrangements. Please feel free to reach out to us for any further information or assistance required.

We genuinely believe that your presence at the North Bay Pride March will have a lasting impact, not only within our own municipality but across the entire province. Together, we can send a resounding message against hate and discrimination, fostering an environment where everyone can live authentically and proudly.

Thank you for your consideration, and we eagerly look forward to your positive response. If you could also share this with any other Mayors and City Council that would be greatly appreciated.

Yours sincerely,

Jason

He/Him/His

Communications Director

North Bay Pride

www.northbaypride.ca supporting www.prideradiocanada.com 7054714764

Pilon, Janet

Subject: Delegation Request - General Issues Committee - August 14, 2023

From: Thea Symonds

Sent: Monday, August 14, 2023 1:25 PM

To: McRae, Angela <Angela.McRae@hamilton.ca>

Subject: Re: Delegation Request - General Issues Committee - August 14, 2023

Good afternoon,

Please see the attached WAWG 2022 Snapshot of violence against women stats that accompanies the delegation I made this morning at the GIC. Kindly distribute it to City Council and/or add it to the agenda.

Thank you,

Thea Symonds



POLICING & JUSTICE

Police DV/IPV calls	12,514
Police DV/IPV reports	6,844
Police DV related charges	5,689
Police reported SV	657
Police reported human trafficking	19

SAFETY & SUPPORTS

Women, children in shelter <small>(IH, IHOH, WP, CAP, GS)</small>	878
Women who received transitional living support <small>(IH, WP, YWCA)</small>	654
DV/SV/VAW reports to VAW agency <small>(WP, SADVCC, YWCA, SVPRO, CAP)</small>	1,017
Women new referrals for VAW counselling <small>(IHOH, SADVCC, SVPRO, CSCHN, IH)</small>	1,222
Number of women who received VAW counselling <small>(YWCA, SACHA, IHOH, SADVCC, SVPRO, GS, CSCHN, IH)</small>	2,453
Women accessing homeless/precariously housed supports <small>(WP, GS)</small>	1,049

CRISIS & HELPLINES

Shelter crisis/helpline calls <small>(IHOH, WP, IH, GS)</small>	7,660
SV crisis/helpline calls	1,973
Number of Supervised Parenting Services visits	465

GAPS/BARRIERS

- **4,498** women could not access shelter due to shortage of beds. (IH, WP, GS)
- Significant gap for marginalized women experiencing VAW and homelessness.
- 6 month waitlist for service from the sexual assault centre.
- 12-18 month waitlist for Supervised Access Program services.

WAWG MEMBERSHIP & PARTICIPATING MEMBERS

- The AIDS Network
- Catholic Children's Aid Society
- Carol Anne's Place* (CAP)
- Centre de Santé Communautaire Hamilton/Niagara* (CSCHN)
- Compass Community Health
- Good Shepherd Women's Services* (GS)
- Hamilton Health Sciences Sexual Assault/ Domestic Violence Care Centre* (SADVCC)
- Hamilton Police Services - Domestic Violence Unit*
- Hamilton Police Services - Victim Services*
- Hamilton Regional Indian Centre
- Indigenous Victim Services
- Interval House of Hamilton* (IHOH)
- Ministry of the Attorney General, Victim Witness Assistance Program
- Mission Services, Emma's Place
- Mission Services, Inasmuch House* (IH)
- Mission Services, Willow's Place* (WP)
- Native Women's Centre
- Sexual Assault Centre - Hamilton & Area* (SACHA)
- Sexual Violence Prevention and Response Office, McMaster University* (SVPRO)
- Supervised Access Program* (SAP)
- YWCA Hamilton* (YWCA)

*= contributed stats to this snapshot

DV = Domestic Violence, SV = Sexual Violence
IPV = Intimate Partner Violence, VAW = Violence Against Women

Ministry of Infrastructure

Infrastructure Programs and Projects
Division

777 Bay Street, 4th Floor, Suite 425
Toronto, Ontario M5G 2E5

Ministère de l'Infrastructure

Division des programmes et des projets
d'infrastructure

777, rue Bay, 4 étage, Suite 425
Toronto (Ontario) M5G 2E5



MEMORANDUM TO: Municipal CAOs

FROM: Jill Vienneau
Assistant Deputy Minister
Infrastructure Program and Projects Division

DATE: August 14, 2023

SUBJECT: Red Tape Reduction for Designated Broadband Projects

I am pleased to write to you today to provide an update on our efforts to expand high-speed internet access across the province.

In Spring 2023, Ontario introduced the *Less Red Tape, Stronger Economy Act, 2023* to help build on the government's efforts to reduce burden for businesses, not-for-profit organizations, municipalities and other provincially regulated entities. The Ministry of Infrastructure would like to highlight two measures related to this initiative:

1. Amendments to the *Building Broadband Faster Act, 2021* (BBFA) to address barriers to timely municipal permit approvals and efficient infrastructure data collection.
2. Updated guidance to broadband stakeholders through a new version of the *Building Broadband Faster in Ontario Guideline*.

BBFA Amendments

The *Less Red Tape, Stronger Economy Act, 2023* (formerly Bill 91) received Royal Assent on June 8, 2023, amending the *Building Broadband Faster Act, 2021* (BBFA) to remove further barriers or delays to designated broadband project construction and to support a streamlined approach to the deployment of high-speed internet infrastructure in the province.

The amendments to the BBFA provided the Minister of Infrastructure with authority to set out certain new regulatory requirements related to infrastructure data collection and conditions for municipal permitting. Effective July 1, 2023, O. Reg. 436/22 Definitions

and Prescribed Provisions under the BBFA was amended, by way of a Minister's amending regulation, to set out the following:

1. **For infrastructure data collection under s. 20.1 of the BBFA:** Upon request from the Minister of Infrastructure, certain persons or entities who own or operate utility infrastructure within 100 metres of a designated broadband project must submit the requested data in the form required by the Minister within 15 business days of receiving the request.
2. **For municipal permitting under s. 10.1 of the BBFA:** Municipalities may not require proponents to execute a legal agreement in advance of providing access to municipal rights-of-way under s. 10.1 of the BBFA. However, municipalities may require internet service providers (ISPs) to agree in writing to take steps to negotiate such agreements in good faith as soon as reasonably possible as a condition for providing access to their rights-of-way.

These changes are intended to advance broadband projects and ensure mechanisms are in place to protect the interests of municipalities. The Ministry of Infrastructure is developing resources to support municipalities with cost recovery related to designated broadband projects and will ensure that appropriate measures are in place to protect data that is shared.

Building Broadband Faster in Ontario Guideline (Version 3.0)

The Ministry of Infrastructure and Infrastructure Ontario has also updated the Building Broadband Faster in Ontario Guideline (Version 3.0). This Guideline was first released in April 2021 with input from municipalities, ministries, and other partners as a tool to expedite the delivery of designated high-speed internet projects. It was updated in August 2022 as well as in August 2023, to reflect new regulatory requirements that came into effect after its original release.

Guideline 3.0 provides additional clarity and best practices for completing work for designated broadband projects in compliance with legislative and regulatory requirements under the BBFA, the *Ontario Underground Infrastructure Notification System Act, 2012* (One Call Act) and the *Ontario Energy Board Act, 1998* (OEBA).

Key updates to the Guideline include:

- Information on new regulatory measures, including those under the BBFA mentioned above in addition to amendments to the OEBA and One Call Act regulations.

- A new process to help resolve disputes between parties and work with sectors to ensure that they comply with the laws and regulations that are helping to build broadband faster.
- Clarity on the Ministry of Transportation's efforts to speed up their permit process for provincially funded broadband projects.
- Additional guidance on cost sharing for using electric infrastructure to build these projects.

To review the updated Guideline, please visit [Building Broadband Faster in Ontario](#).

Support Tools

Infrastructure Ontario has tools in place that will provide assistance to municipalities, proponents of designated broadband projects and other stakeholders related to new requirements under the legislation and the overall implementation of these projects across the province. These include the Technical Assistance Team (TAT) and the use of an online platform called the Broadband One Window (BOW). The TAT plays a key role in supporting permit applications and facilitating resolutions between stakeholders if disputes arise. BOW will help stakeholders work collaboratively to review and approve permitting applications, share data, and provide progress updates on project milestones.

To get in touch with TAT for assistance, you can e-mail TAT@infrastructureontario.ca, or submit a TAT support request through the BOW platform. I also welcome you to contact broadband@ontario.ca if you have general questions about the government's work and wish to speak with a ministry official.

Next Steps

In the coming weeks, the Ministry of Infrastructure will engage the Association of Municipalities of Ontario to co-develop resources intended to support municipalities with timely permit approvals while ensuring they can appropriately control access to their rights-of-way. There is still considerable work underway to bring access to high-speed internet to every community in Ontario by the end of 2025. We appreciate your continued partnership in helping us achieve this important goal.



To:

Date: August 14, 2023

Mayor Andrea Horwath
City Hall
2nd floor - 71 Main Street West
Hamilton, Ontario L8P 4Y5

From:

Canadian Institute of Forestry
P.O. Box 99, 6905 Hwy. 17 West
Mattawa, ON P0H 1V0
www.cif-ifc.org

Dear Mayor Andrea Horwath and Council,

This September, we are inviting municipalities across Canada to participate in National Forest Week (September 17-23, 2023).

This one-week campaign that takes place during the last week of September each year challenges Canadians across the country to learn more about the forest sector and its significance to Canada's culture, history, and future, while also supporting a greater recognition of forests as a valuable, renewable and green resource.

The theme this year "Canada's Forests: Supporting Biological Diversity", will highlight the inextricable link between us, our forests, and biodiversity. Biological diversity in our forests is critical to our survival. From fresh air and water, food security, medicines, shelter to innovative products and technologies, forests and trees provide many cultural, societal, environmental, and economical benefits. In a changing climate, forest practitioners, professionals, researchers, and scientists are working to ensure forests are sustainably managed for generations to come.

Participating in #NationalForestWeek can be as simple as sharing posts and graphics on social media created by CIF-IFC using the hashtag #NationalForestWeek. Examples of how your community can participate are included on the next few pages.

Sincerely,



Mark Pearson
Executive Director
Canadian Institute of Forestry / Institut forestier du Canada (CIF-IFC)



Canadian Institute of Forestry
Institut forestier du Canada

SUGGESTED RESOLUTION TEXT

Pass a motion at your next Council meeting:

- **Option a)** “That the City of Hamilton declares the week of September 17-23, 2023 “NATIONAL FOREST WEEK”.

- **Option b)** Whereas: Canada’s forests are a valuable, renewable resource that contribute to our economy and the livelihoods of our communities.

Whereas: Canada’s forests play a crucial role in maintaining healthy ecosystems, clean air and water and wildlife habitat whilst being an important aspect of climate change mitigation efforts.

Whereas: The City of Hamilton and its citizens rely on the surrounding forests for livelihood, health, and recreation.

Whereas: This annual one-week campaign with the theme of “Canada’s Forests: Supporting Biological Diversity” will be celebrated across Canada by individuals and organizations.

Therefore, as Mayor of the City of Hamilton, I declare September 17–23, 2023 as: “NATIONAL FOREST WEEK” in Hamilton.

- **Option c)** Canada’s forests are a valuable, renewable resource that contribute greatly to the livelihoods, health and culture of our communities as well as the maintenance of our ecosystems, their wildlife and resilience in the face of climate change.

Therefore, as Mayor of the City of Hamilton, I declare September 17–23, 2023 as: “NATIONAL FOREST WEEK” in the City of Hamilton.

Note: Should your city/community declare National Forest Week 2023, please inform the CIF-IFC at: nfw-snaf@cif-ifc.org

HOW TO PARTICIPATE IN #NATIONALFORESTWEEK 2023

- Use your social media channels to like and share/retweet posts created by the CIF-IFC ([@CIF_IFC](#) on Twitter, [@CIF.IFC](#) on Facebook, [@CIF_IFC](#) on Instagram, and [@Canadian Institute of Forestry /Institute forestier du Canada](#) on LinkedIn) or posts using the hashtag #NationalForestWeek or #SemaineNationaleDeLArbreEtDesForêts.
- Share National Forest Week 2023 digital creatives via social media using the hashtag #NationalForestWeek or #SemaineNationaleDeLArbreEtDesForêts.
- Create your own content using the daily sub-themes from the [National Forest Week Social Media Content Schedule](#) and share them using the hashtag #NationalForestWeek or #SemaineNationaleDeLArbreEtDesForêts.
- Encourage individuals to think of what forests mean to them by using the hashtag #NationalForestWeek or #SemaineNationaleDeLArbreEtDesForêts.
- Let us know if your community/municipality is hosting an event via email (nfw-snaf@cif-ifc.org) and we will add it to the National Forest Week [events calendar](#).
- Download digital copies of our free promotional material for distribution ([promotional material](#)). A sample of our promotional poster is included below.

[See National Forest Week online](#) to download digital graphics, view the social media content schedule, and learn about additional ways to participate.



Pilon, Janet

Subject: BAD IDEA

From: Marijus Gudinskas

Sent: August 17, 2023 7:40 AM

To: Stranak, Cindy <Cindy.Stranak@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>

Cc: clerk@hamilton.ca

Subject: BAD IDEA

While the intensification of the urban builds (and limiting urban sprawl) is a good idea..

Doing the following "a plan to axe or reduce parking requirements for developments in Hamilton's residential areas."

IS NOT a good idea.

People in lower city who have cars and no driveways will find it almost next to impossible to find parking. Allowing current houses to be turned into triplexes etc will only compound the issue even further.

Please reconsider...

Marijus Gudinskas

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 18, 2023

MOVED BY COUNCILLOR T. HWANG.....

Support for Francophone Seniors Active Living Centre (SALCA) in Hamilton - REVISED

WHEREAS, the City of Hamilton has been designated under the provincial French Language Service Act of Ontario as a francophone city as of December 31, 2000 to provide municipal services in both English and French;

WHEREAS, Hamilton is one of 14 Canadian cities designated by the Government of Canada’s Francophone Immigration Strategy to service Francophones;

WHEREAS, the Fédération des aînés et des retraités francophones de l’Ontario (FARFO) and the Centre Francophone are the lead organizations applying for funding from the Ministry of Seniors and Accessibility (MSA) for a new Francophone Seniors Active Living Centre (SALCA) in Hamilton;

WHEREAS, the 2021 census identified over 50,000 Hamiltonians who speak French and of that population, approximately 10% are over the age of 55;

WHEREAS, FARFO and Centre Francophone have budgeted \$72,000 per year to provide French programming to serve Francophone seniors at the new Francophone SALCA;

WHEREAS, the funding from the Ministry of Seniors and Accessibility requires that the Municipality must contribute to a minimum of 20% of the net annual cost for maintaining and operating the program and that the contribution can be in cash, or in kind, or a combination thereof;

WHEREAS, Hamilton has 11 Senior Active Living Centres (SALCA) but none serving the Francophone population;

WHEREAS, the Fédération des aînés et des retraités francophones de l’Ontario (FARFO) and the Centre Francophone meets the eligibility criteria, as a community group; and

WHEREAS, the Fédération des aînés et des retraités francophones de l'Ontario (FARFO) and the Centre Francophone's, Francophone Seniors Active Living Centre (SALCA) is considered an eligible activity.

THEREFORE, BE IT RESOLVED:

- (a) That a grant funded from the Ward 4 Capital Discretionary Account [3302109400] be provided to the Fédération des aînés et des retraités francophones de l'Ontario (FARFO) and the Centre Francophone to support their application for a Francophone Seniors Active Living Centre (SALCA), at an upset limit, including contingency, not to exceed \$14,400 for 2023;
- (b) That staff review alignment of the Francophone SALCA proposal with the Long Term Facilities Master Plan and Recreation Master Plan, confirm SALCA organizational funding requirements, funding eligibility and City oversight requirements and review options for long term financing and report back to Emergency and Community Services Committee in advance of the 2024 operating budget; and,
- (c) That the mayor and City Clerk be authorized and directed to execute and required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 18, 2023

MOVED BY COUNCILLOR B. CLARK.....

Appointment of an Acting City Clerk

- (a) That a By-law to Appoint Janet Pilon as Acting City Clerk for the City of Hamilton effective August 28, 2023 be enacted by Council;
- (b) That By-law 19-182 a By-law to appoint a City Clerk for the City of Hamilton be repealed on August 28, 2023; and
- (c) That By-law 19-183 To Appoint a Deputy City Clerk for the City of Hamilton, be repealed on August 28, 2023.

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 18, 2023

MOVED BY COUNCILLOR C. CASSAR.....

Municipal Protected Areas Project Pilot Program – Ontario Nature

WHEREAS biodiversity at the local, provincial and national scale is threatened by pollution, invasive species, climate change, habitat loss and habitat fragmentation;

WHEREAS at the 15th Conference of Parties of the United Nations Convention on Biological Diversity the Kunming-Montreal Global Biodiversity Framework Targets were established and directed that nations commit to protecting at least 30 percent of land and water by 2030 particularly in areas with importance for biodiversity and ecosystem function and services (known as the “30 by 30” target);

WHEREAS the City of Hamilton became a signatory to The Montreal Pledge – Cities United in Action for Biodiversity on June 15, 2023, which includes an action to “conserve existing natural environments through protected areas and other effective and equitable measures”;

WHEREAS the City has committed to developing a Biodiversity Action Plan in cooperation with local environmental non-governmental organizations and conservation authorities;

WHEREAS the City of Hamilton’s Urban and Rural Official Plans identify that the City’s Natural Heritage System includes approximately 36,750 hectares of Core Area lands to be preserved and enhanced to protect local biodiversity and ecological functions;

WHEREAS the City will be undertaking the rural and city-wide natural heritage review phase of the Municipal Comprehensive Review in 2024;

WHEREAS the City has been approached by Ontario Nature to participate in the Municipal Protected Areas Project pilot to assess natural lands which would contribute to Canada’s 30 by 30 target for biodiversity protection and included in the Canadian Protected and Conserved Areas Database.

THEREFORE, IT IS RESOLVED:

- (a) That the City of Hamilton continue to engage with Ontario Nature regarding the potential feasibility for the City to participate in the Municipal Protected Areas Project pilot;
- (b) That staff from Planning and Economic Development be directed to determine an appropriate work program for Hamilton to participate in the Municipal Protected Areas Project pilot program that compliments the work being undertaken for the City's Rural and Natural Heritage Municipal Comprehensive Review; and,
- (c) That staff be directed to provide a recommendation report to Planning Committee in Q4 2023 outlining the potential staffing and financial needs associated with participation in the Municipal Protected Areas Project pilot.

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 18, 2023

MOVED BY COUNCILLOR N. NANN.....

Wentworth Street North in Proximity to Cathy Wever Elementary School 30 km/h Speed Limit Reduction Pilot (Ward 3)

WHEREAS, Vision Zero and Complete Streets principles are used in the City of Hamilton to provide a safer environment for all road users;

WHEREAS, on June 17, 2022 a young pedestrian was struck on Wentworth Street North by the driver and sustained serious injuries;

WHEREAS, the collision occurred on Wentworth Street North in-front of Cathy Wever Elementary School;

WHEREAS, on July 6, 2022 a motion was approved by Public Works Committee directing the Transportation Division to review Wentworth Street North between Bristol Street and Cannon Street East to determine and undertake reasonable pedestrian focused safety enhancements with consideration for a speed limit reduction to 30 km/h within the School Zone;

WHEREAS, the Transportation Division completed a review and have begun undertaking safety enhancements, including expanding the limits of the existing school zone, introducing full-time protected parking to enhance protection between vehicle through traffic and pedestrians, shortening the crossing distance for the existing pedestrian cross-over located approximately in-front of the school, and installing a painted buffer on the roadway to narrow the vehicle lanes and provide additional separation between vehicles and pedestrians;

WHEREAS, the City of Hamilton Official Plan classifies Wentworth Street North as a minor arterial road and the Council approved Speed Limit Policy sets speed limits on arterial roadways at either 60 km/h or 50 km/h;

WHEREAS, the Transportation Division is currently reviewing the Speed Limit Policy to determine the best practices for setting speed limits by applying Vision Zero Principals;

WHEREAS, safe speeds is an important factor in enhancing safety throughout the City and that speed has a significant role to play regarding the severity of injuries resulting from traffic collisions; and

WHEREAS, sections of arterial roadways may benefit from reduced speed limits up to and including a reduction to 30 km/h.

THEREFORE, BE IT RESOLVED:

- (a) That the Transportation Division continues with and completes the implementation of the identified safety enhancements on Wentworth Street North between Bristol Street and Cannon Street East based on the completed review.
- (b) That the Transportation Division undertake a speed limit pilot on Wentworth Street North between Bristol Street and Cannon Street East by reducing the speed limit to 30 km/h and report back to Public Works Committee on the results of the pilot, including an assessment of considering similar pilots and/or permanent speed limit reductions on arterial roadways City-wide.
- (c) The Transportation Division coordinates the speed limit reduction with Hamilton Police Service's Traffic Enforcement Unit for consideration of increased enforcement during the pilot period.
- (d) That the speed limit pilot be effective as soon as convenient and conclude no later than Q3 of 2024.
- (e) That Schedule 2 of Traffic By-law No. 01-215 be amended to be reflective of the 30 km/h speed limit reduction on Wentworth Street North between Bristol Street and Cannon Street East to enable to speed limit pilot.

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 18, 2023

MOVED BY COUNCILLOR B. CLARK.....

Compassionate Grant Assistance Program for Mitigation of Flooding Risk involving Private Residences on Foxtrot Drive and Foxmeadow Drive, Stoney Creek - REVISED

WHEREAS, private residential properties along Foxtrot Drive and Foxmeadow Drive in Stoney Creek have risk of flooding, and there are owners who wish to take preventative measures to lessen their flooding risks;

WHEREAS, in 2023 the City through an Engineering Consultant determined foundation drains from private residences in that area which are directly connected to the storm sewer in the road and in specific storm conditions can result in stormwater backing up into the private residences, and has confirmed that such risk can be reduced by hydraulically severing the foundation drain and installing a sump pump to take over the function for foundation drainage;

WHEREAS, it is in the interests of the municipality to assist by helping to defray costs of these measures; and

WHEREAS Council may provide assistance to a private residential property owner in the form of a grant, pursuant to section 107 of the Municipal Act, 2001, S. O. 2001, c. 25.

THEREFORE, BE IT RESOLVED:

- (a) That for the purpose of providing such assistance, that Council approve a grant program for private residential property owners, for costs incurred in such mitigation measures, up to the limit of \$2,000 per residential property, with the program to be referred to as the "Compassionate Grant Assistance Program for Mitigation of Flooding Risk involving Private Residences on Foxtrot Drive and Foxmeadow Drive, Stoney Creek";
- (b) That staff apply appropriate processes and eligibility criteria under which owners of residential properties may submit applications and proof of expenses incurred for the purpose of determining the payment of the grant;
- (c) That if necessary, staff be authorized to retain services to confirm details and completion of the appropriate work to satisfy the criteria for payment of a grant, and;

- (d) That the costs involved in the Compassionate Grant Assistance Program for Mitigation of Flooding Risk involving Private Residences on Foxtrot Drive and Foxmeadow Drive, Stoney Creek, be funded from stormwater reserve 108010.

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 18, 2023

MOVED BY COUNCILLOR M. FRANCIS.....

Closing King Street East for the Boots in the Creek Festival

WHEREAS, the Boots in the Creek Festival will be taking place on August 18th and 19th, 2023 in Downtown Stoney Creek;

WHEREAS, this is the first ever country music festival, as well as the first ever two-day road closure;

WHEREAS, the organizers are a group of community volunteers trying to create something new, exciting and enjoyable for residents and visitors, in order to draw tourists and much needed support to local small businesses to the area;

WHEREAS, the event is free of charge, fully accessible, welcoming and open to the public.

THEREFORE, BE IT RESOLVED:

- (a) That the Transportation Division facilitate the closure of King Street East to vehicular traffic for Boots in the Creek on August 18th and 19th, 2023;
- (b) That the estimated cost of \$17,600 to fund the road closure costs for the Boots in the Creek event in Downtown Stoney Creek be funded through S.C. Compensation Royalties (GFL Environmental) Reserve 117036; 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.

Authority: Item 4, Planning Committee Report 23-011 (PED23114)
CM: July 14, 2023
Ward: 6
Written approval of this by-law was given by
Mayoral Decision MDE-2023-01 dated
August 18, 2023
Bill No. 146

CITY OF HAMILTON
BY-LAW NO. 23-

**To Amend Zoning By-law No. 05-200 with Respect to Lands Located at
1093 Fennell Avenue East, Hamilton**

WHEREAS Council approved Item 4 of Report 23-011 of the Planning Committee, at its meeting held on July 14, 2023;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan upon the adoption of Urban Hamilton Official Plan Amendment No. 187;

NOW THEREFORE Council of the City of Hamilton enacts Zoning By-law No. 05-200 as follows:

1. That Map No. 1188 of Schedule "A" – Zoning Maps is amended by changing the zoning from the District Commercial (C6) Zone to the Mixed Use Medium Density (C5, 849, H147) Zone for the lands shown on Schedule "A" attached to this By-law.
2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exception:

"849. Within the lands zoned Mixed Use Medium Density (C5, 849, H147) Zone, identified on Map 1188 of Schedule "A" – Zoning Maps and described as 1093 Fennell Avenue East, the following special provisions shall apply:

- a) Notwithstanding Section 10.5.3 b), 10.5.3 c), 10.5.3 d) ii) and iii), and in addition to 10.5.3 the following special provisions shall apply:
 - i) Minimum Rear Yard
 1. 6.5 metres; and,
 2. Notwithstanding 1. above, for any building greater than 9.0 metres in height, 50.0 metres shall be provided.
 - ii) Minimum Interior Side Yard
 1. 4.5 metres; and,

- | | | |
|------|---|---|
| | | 2. Notwithstanding 1. above, for any building greater than 9.0 metres in height, 45.0 metres shall be provided. |
| iii) | Building Height | Maximum 44.0 metres. |
| iv) | Minimum Gross Floor Area for Commercial Uses | 2,030.0 square metres. |
| v) | Minimum Separation Distance for Multiple Dwellings | 1. 5.25 metres between end walls;
2. 10.0 metres between front façade and end wall; and,
3. 20.0 metres between front façade and a building greater than 9.0 metres in height.” |
| vi) | Minimum Building Stepback from the building base façade above the 2nd storey adjacent to a street | 1. 3.0 metres; and,
2. Notwithstanding 1. above, 0.0 metres from a daylight triangle. |
3. That That Schedule “D” – Holding Provisions be amended by adding the following new Holding Provision:
- “147. Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use Medium Density (C5, 849) Zone, identified on Map 1188 of Schedule “A” – Zoning Maps and described as 1093 Fennell Avenue East, no development, demolition, grading, construction activities, landscaping,

staging, stockpiling or other soil disturbances shall be permitted until such time as:

- a) 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 (MECP). 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 MECP, and the submission of the City of Hamilton's current RSC administration fee."
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Mixed Use Medium Density (C5, 849, H147) Zone, subject to the special requirements referred to in Sections No. 2 and 3 of this By-law.
5. 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 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-045



This is Schedule "A" to By-law No. 23-

Passed the day of, 2023

 Mayor

 Clerk


Schedule "A"

Map forming Part of
 By-law No. 23-_____

to Amend By-law No. 05-200
 Map 1188

Subject Property

1093 Fennell Avenue East, Hamilton

 Change in Zoning from the District Commercial (C6)
 Zone to the Mixed Use Medium Density
 (C5, 849, H147) Zone

Scale:
 N.T.S

File Name/Number:
 ZAC-22-045

Date:
 April 17, 2023

Planner/Technician:
 MM/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Authority: Item 8, Planning Committee
Report: 23-011 (PED23117)
CM: July 14, 2023
Ward: 11
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023
Bill No. 147

CITY OF HAMILTON

BY-LAW NO. 23-

To Adopt:

**Official Plan Amendment No. 186 to the
Urban Hamilton Official Plan**

Respecting:

**3479 Binbrook Road
(Glanbrook)**

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

1. Amendment No. 186 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 186

The following text, together with:

Appendix "A"	Volume 2: Map B.5.1-1 – Binbrook Village Secondary Plan – Land Use Plan
Appendix "B"	Volume 2: Map B.5.1-2 – Binbrook Village Secondary Plan – Open Space Linkages

attached hereto, constitutes Official Plan Amendment No. "186" to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose of this Amendment is to amend the Binbrook Village Secondary Plan to modify the boundaries of the Low Density Residential 2e, Low Density Residential 2h, Low Density Residential 3e, Neighbourhood Park, Utility and Storm Water Management designations, remove the Institutional and Parkette designations, and to revise the identification of Proposed Roads, Road Hierarchy classifications and Open Space Linkages on the subject lands. Two new Area Specific Policies will be added to allow for an increase in residential densities within certain designations on the subject lands.

The effect of this Amendment is to permit the development of a draft plan of subdivision consisting of 196 single detached dwellings, 42 semi detached dwellings, 388 street townhouse dwellings, up to 146 dwelling units in multiple dwellings, a neighbourhood park, naturalized drainage channel, stormwater management pond, new local and collector roads, and public walkways.

2.0 Location:

The lands affected by this Amendment are known municipally as 3479 Binbrook Road, in the former Township of Glanbrook.

3.0 Basis:

Urban Hamilton Official Plan Amendment No. 186	Page 1 of 3	
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The basis for permitting this Amendment is:

- The proposed development maintains the general intent of the policies of the Urban Hamilton Official Plan and Binbrook Village Secondary Plan.
- The Amendment will permit a development which is integrated and compatible with the existing subdivision to the east of the subject lands and proposed subdivision to the west, allows for a variety of residential uses, and represents good planning by providing housing and recreational opportunities while respecting the natural environment and providing appropriate municipal services.
- 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 2 – Secondary Plans

Text

4.1.1 Chapter B.5.0 – Glanbrook Secondary Plans – Section B.5.1 – Binbrook Village Secondary Plan

- a. That Volume 2, Chapter B.5.0 – Glanbrook Secondary Plans, Section B.5.1 Binbrook Village Secondary Plan be amended by adding a new Area Specific, as follows:

“Area Specific Policy – Area T

B.5.1.13.20 Notwithstanding Policy B.5.1.4.5 b) ii) of Volume 2, for lands designated Low Density Residential 2e the density range shall not exceed 46 units per hectare.”

- b. That Volume 2, Chapter B.5.0 Glanbrook Secondary Plans, Section B.5.1 – Binbrook Village Secondary Plan be amended by adding a new Area Specific Policy, as follows:

“Area Specific Policy – Area U

B.5.1.13.21 Notwithstanding Policy B.5.1.4.5 c) ii) of Volume 2, for lands designated Low Density Residential 2h the density range permitted shall be from 40 to 54 units per hectare.”

Maps

4.1.2 Map

- a. That Volume 2: Map B.5.1-1 – Binbrook Village Secondary Plan – Land Use Plan be amended, as shown on Appendix “A” attached to this amendment.
- b. That Volume 2: Map B.5.1-2 - Open Space Linkages, be amended, as shown on Appendix “B” attached to this amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Draft Plan of Subdivision will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. 23-147 passed on the 18th day of August, 2023.

**The
City of Hamilton**

A. Horwath
Mayor

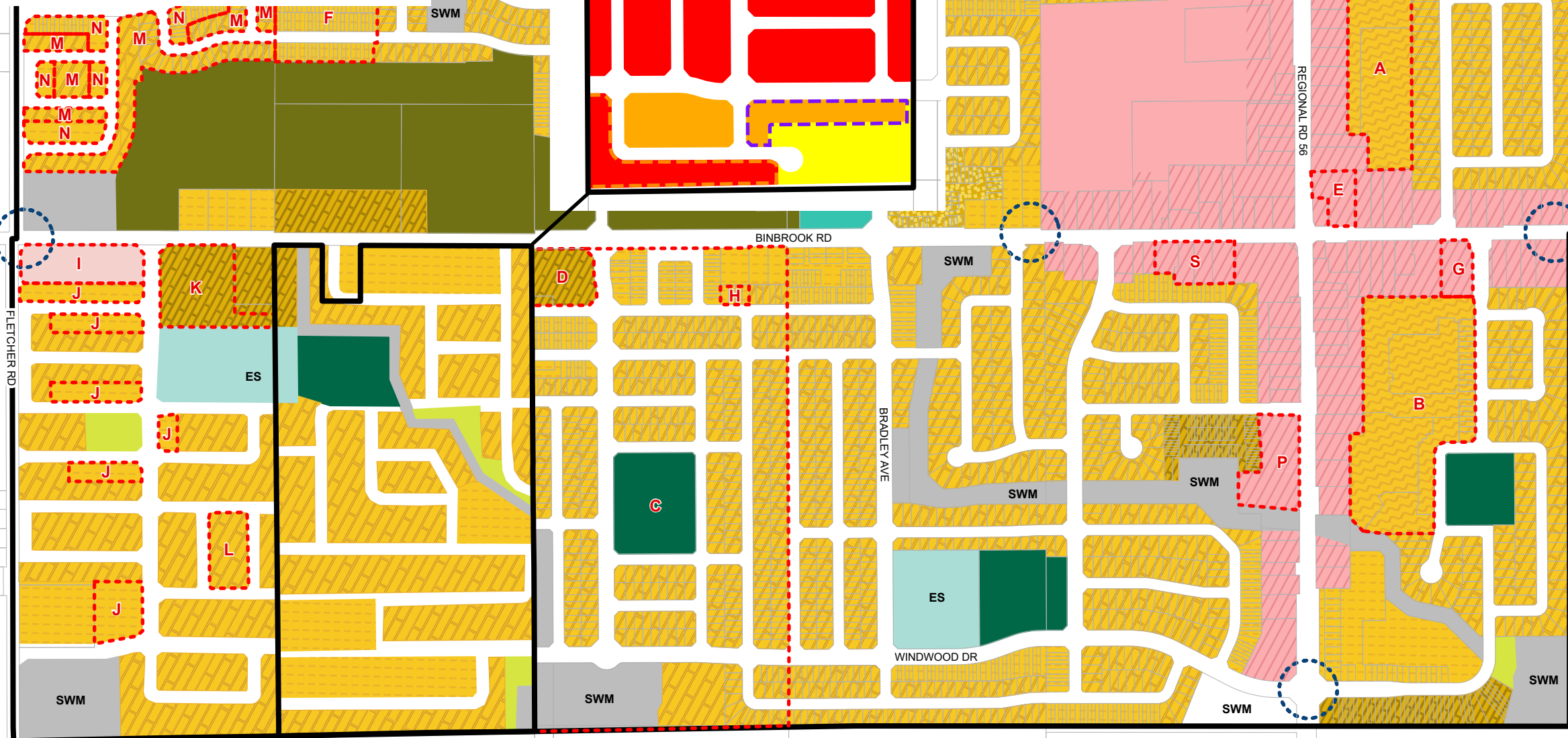
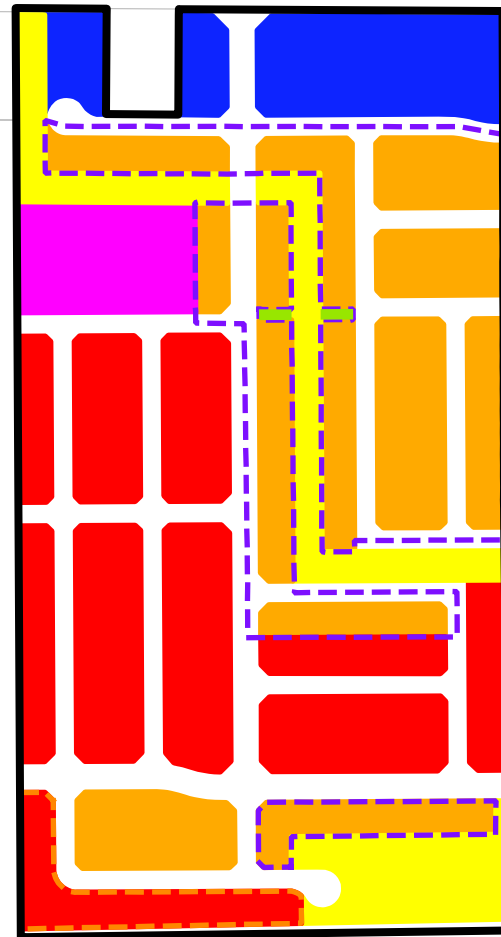
A. Holland
City Clerk

Appendix A
 APPROVED Amendment No. 186
 to the Urban Hamilton Official Plan






















-  Delete the Land Use Designations and Road Network on the Subject Lands and replace with the Land Use Designations and Road Network as shown in Inset 1
 -  Lands to be designated as "Low Density Residential 2e"
 -  Lands to be designated as "Low Density Residential 2h"
 -  Lands to be designated as "Low Density Residential 3e"
 -  Lands to be designated as "Neighbourhood Park"
 -  Lands to be designated as "General Open Space"
 -  Lands to be designated as "Utility"
 -  Lands to be identified as Area Specific Policy – Area "T"
 -  Lands to be identified as Area Specific Policy – Area "U"
- (3479 Binbrook Road, Glanbrook)

Date: July 12, 2023	Revised By: JVR/NB	Reference File No.: OPA-U-186(G)
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Inset 1



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** Storm Water Management
 -  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
 Map B.5.1-1

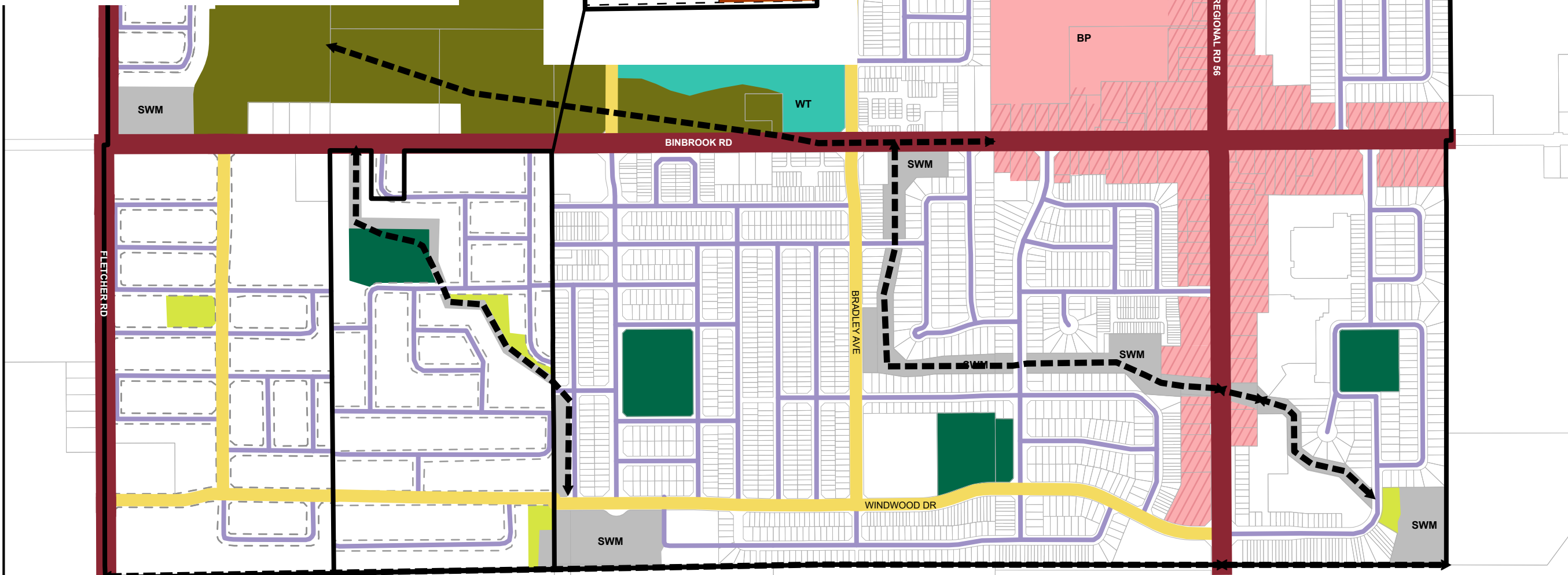
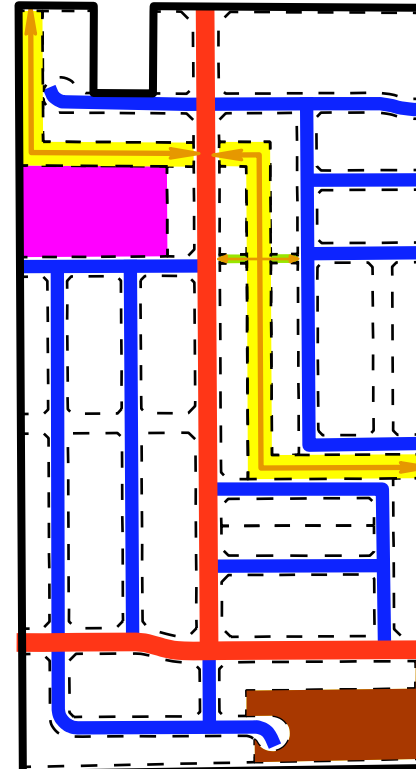
Date: May 2021	
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









Appendix B
 APPROVED Amendment No. 186
 to the Urban Hamilton Official Plan

-  Delete the Land Use Designations and Road Network on the Subject Lands and replace with the Land Use Designations and Road Network as shown in Inset 1
 -  Lands to be identified as "Proposed Roads"
 -  Lands to be identified as "Collector Road"
 -  Lands to be identified as "Local" road
 -  Lands to be identified as "Neighborhood Park"
 -  Lands to be identified as "General Open Space"
 -  Lands to be identified as "Drainage Channel/ Public Walkway"
 -  Lands to be identified as "Storm Water Management"
 -  Lands to be identified as "Open Space Linkages"
- (3479 Binbrook Road, Glanbrook)

Date: July 12, 2023	Revised By: JVR/NB	Reference File No.: OPA-U-186(G)
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Inset 1



- ### Legend
- Commercial and Mixed Use Designations**
-  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
- Storm Water Management Facilities**
-  **SWM** Storm Water Management
 -  Drainage Channel / Public Walkway
- Road Hierarchy**
-  Arterial Road
 -  Collector Road
 -  Local
 -  Proposed Roads
- Other Features**
-  **BP** Binbrook Park
 -  **WT** 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: May 2022	
 Not To Scale	
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Authority: Item 8, Planning Committee
Report 23-011 (PED23117)
CM: July 14, 2023
Ward: 11
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 148

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 3479 Binbrook Road, Glanbrook

WHEREAS the City of Hamilton Act, 1999, Statues 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 lawful successor to certain area municipalities, including the former area municipality known as “The Corporation of the Township 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 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 Land Tribunal on the 31st day of May 1993;

AND WHEREAS Council, in adopting Item 8 of Report 23-011 of the Planning Committee at its meeting held on the 14th day of July, 2023, 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, upon finalization of Official Plan Amendment No. 186.

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 464 (Glanbrook) as follows:

1. That Schedule “H”, appended to and forming part of By-law No. 464 (Glanbrook), be amended by changing the zoning from Restricted Agricultural “A2” Zone to Residential Multiple “RM3-326” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That SECTION 44: EXCEPTIONS TO THE PROVISIONS OF THIS BY-LAW, be amended as follows:

RM3-326 3479 Binbrook Road

1. In addition to SECTION 4: DEFINITIONS, that for the purposes of the RM3-326 Zone, the following definitions shall also apply:
 - (a) Stacked townhouses – shall mean a townhouse that is divided vertically and horizontally into a minimum of three and a maximum of 15 dwelling units and with each dwelling unit having one or more private entrances at grade.
 - (b) Back-to-back townhouses (Maisonettes) – Shall mean a building containing a minimum of 12 and no more than 32 dwelling units that is divided vertically and where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit at grade.
 - (c) For those lands zoned “RM3-326”, Zone, Modified, the lot line along Gowland Drive is deemed to be the Front Lot line.
 - (d) For those lands zoned “RM3-326”, Zone, Modified, the easterly lot line of Block 2 measuring 64.77 metres and the westerly lot line of Block 3 measuring 64.62 metres on Draft Approved Plan of Subdivision 25T-202201, are deemed to be the Flankage Lot lines.
 - (e) For those lands zoned “RM3-326”, Zone, Modified, the lot line along Binbrook Road is deemed to be the Rear Lot line.
2. Notwithstanding SECTION 19: RESIDENTIAL MULTIPLE “RM3’ ZONE, Subsection 19.1 PERMITTED USES for those lands zoned “RM3-326”, Zone, Modified, by this By-law, only the following uses shall be permitted:
 - (a) Apartment buildings
 - (b) Stacked Townhouses
 - (c) Back-to-back townhouses (Maisonettes)
3. Notwithstanding SECTION 19: RESIDENTIAL MULTIPLE “RM3” Zone, Subsection 19.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1, Clauses (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (l), and (n), the following regulations shall apply for uses listed in subsection 2 above, for the lands zoned “RM3-326”:
 - (a) Minimum Lot Frontage.....30 metres

- (b) Minimum Lot Area.....0.3 hectare
- (c) Maximum Lot Coverage.....50 percent
- (d) Maximum Density.....60 dwelling units per hectare
- (e) Minimum Front Yard:.....3 metres,
except 6 metres
to attached garage
- (f) Minimum Side and Rear Yards
 - (i) Side Yard.....1.2 metres,
except 3 metres
on a flanking street
 - (ii) Rear Yard.....3 metres
- (g) Minimum Separation Distance.....N/A
- (h) Minimum Floor Area Per Dwelling Unit.....N/A
- (i) Maximum Height.....12.5 metres
- (j) Minimum Landscaped Area.....25 percent of
the lot area
- (l) Minimum Privacy Area.....N/A
- (n) Minimum Parking Requirements

Notwithstanding SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Sub-section 7.35 – MINIMUM PARKING REQUIREMENTS FOR ALL ZONES, each parking space shall be 2.7 metres x 5.8 metres and each dwelling unit shall have two spaces plus 0.25 visitor parking spaces for each dwelling unit.

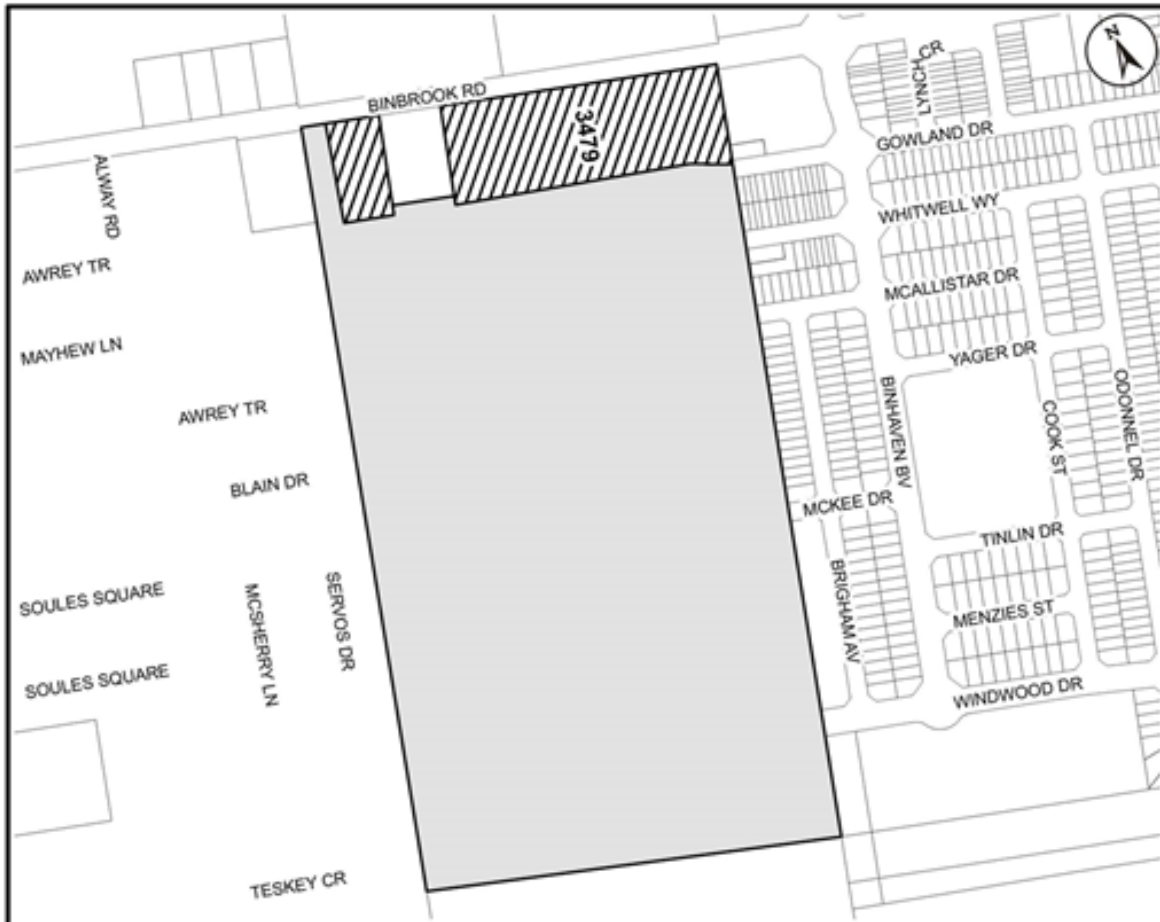
- 3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential Multiple “RM3” Zone provisions, subject to the special requirements as referred to in Section 2 of this By-law.
- 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 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

UHOPA-23-015
ZAC-22-008
25T-202201



<p>This is Schedule "A" to By-law No. 23-</p> <p>Passed the day of, 2023</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 "A"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 23-_____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 464</p>	<p>Subject Property</p> <p>3479 Binbrook Road</p> <p> Blocks 1 & 2 – Change in Zoning from the Restricted Agricultural "A2" Zone to the Residential Multiple "RM3-328" Zone, Modified</p> <p> Refer to By-law No. 05-200</p>
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Scale: N.T.S	File Name/Number: ZAC-22-008/25T-202201A/HOPA-23-015	
Date: June 27, 2023	Planner/Technician: JV/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Motion 7.7
CM: August 18, 2023
Ward: City Wide
Written approval of this by-law was given by
Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 150

CITY OF HAMILTON

BY-LAW NO. 23-

To Repeal By-law Nos. 19-182 and 19-183 And to Appoint an Acting City Clerk for the City of Hamilton

WHEREAS subsection 228(1) of the *Municipal Act, 2001* provides that Council shall appoint a Clerk who shall perform the duties under the said Act, and such other duties as may be assigned by the Council;

WHEREAS it is necessary to appoint an Acting City Clerk for the City of Hamilton.

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

1. Janet Pilon is appointed Acting City Clerk for the City of Hamilton effective August 28, 2023 until such time as a Clerk is appointed by Council.
2. The Acting City Clerk shall perform the duties under all applicable legislation and shall have all the powers and carry out the duties of that office under those Acts.
3. By-law Nos. 19-182 and 19-183, be repealed.
4. This By-law shall come into force and take effect on August 28, 2023.

PASSED this 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Authority: Motion 7.7
CM: August 18, 2023
Ward: City Wide
Bill No. 150

CITY OF HAMILTON

BY-LAW NO. 23-

To Repeal By-law Nos. 19-182 and 19-183 And to Appoint an Acting City Clerk for the City of Hamilton

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1. Janet Pilon is appointed Acting City Clerk for the City of Hamilton effective August 28, 2023 until such time as a Clerk is appointed by Council.
2. The Acting City Clerk shall perform the duties under all applicable legislation and shall have all the powers and carry out the duties of that office under those Acts.
3. By-law Nos. 19-182 and 19-183, be repealed.
4. This By-law shall come into force and take effect on August 28, 2023.

PASSED this 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Authority: Item 6, Planning Committee
Report 23-012 (PED23163)
CM: August 18, 2023
Ward: 5
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 151

CITY OF HAMILTON

BY-LAW NO. 23-

**To Amend Zoning By-law No. 05-200, Respecting Lands Located at 200
Centennial Parkway North, in the City of Hamilton**

WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 6 of Report 23-012 of the Planning Committee at its meeting held on the 18th day of August, 2023, which recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan;

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

1. That Map Nos. 1094 and 1143 of Schedule "A" – Zoning Maps, appended to and forming part of Zoning By-law No. 05-200 (Hamilton), is amended by adding the lands as Mixed Use High Density (C4, 853) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Schedule C – Special Exceptions is amended adding the following new Special Exception:
 - "853. Within the lands zoned Mixed Use High Density (C4) Zone, identified on Map Nos. 1094 and 1143 of Schedule "A" – Zoning Maps and described as 200 Centennial Parkway North, the following special provisions shall apply:
 - a) Notwithstanding Section 5.1 a) ii) a), off-site parking for a multiple dwelling is permitted within a zone in which a multiple dwelling is not permitted.
 - b) Notwithstanding Section 5.6 c), as it relates to a multiple dwelling a minimum of 0.9 parking spaces per dwelling unit shall be required, 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 parking spaces per dwelling unit. For all other uses parking will be required in accordance with Section 5.6 c).

c) Notwithstanding Sections 4.6 a), d) and e), 10.4.1.1 ii) 1., 10.4.3 a), b), c), d) ii) and iii), the following regulations shall apply:

- | | |
|--|---|
| a) Finished Floor Elevation | i) The finished floor elevation of any dwelling unit shall be a minimum of 0 metres above grade. |
| | ii) Notwithstanding a) i) above, a finished floor elevation of any dwelling unit facing Centennial Parkway North shall be a minimum of 0.9 metres above grade. |
| b) Maximum Building Setback from a Street Line | i) 4.5 metres from a streetline, except where a visibility triangle is required for a driveway access and shall not be required from Barlake Avenue. |
| | ii) In addition to, b) i) above, the following minimum setbacks shall be provided: |
| | A) 4.7 metres from a street line for any portion of the building greater than 18.0 metres in height, for the lands included in Block 1 of Figure No. 32 of Schedule "F" – Special Figures. |
| | B) 11.0 metres from a street line for any portion of the building greater than 18.0 metres in height, for the lands included in Block 2 of Figure No. 32 of Schedule "F" – Special Figures. |
| | C) 13.7 metres from a street line for any portion of the building greater than 39.2 metres in height, for the lands included in Block 2 of Figure No. 32 of Schedule |

“F” – Special Figures.

- iii) Parapets, terrace dividers, privacy screens, guard rails and elements associated with a green roof or outdoor amenity space shall be permitted to be located within the minimum required setback.
 - iv) Balconies, balcony dividers and other architectural elements may encroach a maximum of 2.5 metres into the required yard setback.
- c) Minimum Rear Yard Setback
- i) 10.5 metres.
 - ii) In addition to, c) i) above, the following additional setbacks shall be provided:
 - A) 22.5 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 4 of Figure No. 32 of Schedule “F” – Special Figures.
 - B) 25.0 metres for any portion of a building exceeding 39.2 metres in height, for the lands included in Block 4 of Figure No. 32 of Schedule “F” – Special Figures.
 - C) 13.5 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 5 of Figure No. 32 of Schedule “F” – Special Figures.

- iii) In addition to, Porches, steps, balconies, walls or screens dividing porches, terraces or balconies and other architectural elements may encroach a maximum of 2.5 metres into the required easterly rear yard setbacks.
 - iv) In addition to, Parapets, guard rails and elements associated with a green roof or outdoor amenity space shall be permitted to be located within the minimum required easterly rear yard setbacks.
- d) Minimum Interior Side Yard Setback
- i) 7.5 metres.
 - ii) In addition to, the following additional setbacks shall be provided:
 - A) 21.0 metres setback from the southerly side lot line.
 - B) In addition to, d) ii) A) above, 34.0 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.
 - C) In addition to, d) ii) A) and B) above, 40.0 metres for any portion of a building exceeding 27.0 metres in height, for the lands included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.
 - D) In addition to, d) ii) A), B)

and C) above, 46.0 metres for any portion of a building exceeding 36.2 metres in height, for the lands included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.

- iii) In addition to, d) ii) A) above, porches, steps, balconies, walls or screens dividing porches, terraces or balconies and other architectural elements located within Block 2 of Figure No. 32 of Schedule "F" – Special Figures may encroach a maximum of 2.5 metres into the required southerly side yard setback.
 - iv) In addition to, d) ii) above, parapets, guard rails, rooftop terraces, terrace dividers, elements associated with a green roof or outdoor amenity space located within Block 3 of Figure No. 32 of Schedule "F" – Special Figures shall be permitted to be located within the minimum required southerly side yard setbacks.
 - iii) In addition to, d) ii) B, C, and D above, balconies, balcony dividers and other architectural elements located within Block 3 of Figure No. 32 of Schedule "F" – Special Figures may encroach a maximum of 2.5 metres into the required southerly side yard setback.
- e) Building Height
- i) Maximum 40.0 metres.
 - ii) In addition to, e) i) above, the following maximum heights shall apply:

- A) Maximum 65.0 metre building height for lands included in Blocks 1, 2 and 3 of Figure No. 32 of Schedule "F" – Special Figures.
- B) Maximum 55.0 metre building height for lands included in Block 4 of Figure No. 32 of Schedule "F" – Special Figures.
- g) Ground Floor Commercial
A minimum of 50 percent of the ground floor area facing Centennial Parkway North shall be comprised of commercial uses.
- h) The lands zoned Mixed Use - High Density (C4, 853) Zone shall be deemed to be one lot for the purpose of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, and not the individual property boundaries of any lots created by registration of Condominium Plan, Part Lot Control or Consent.

3. That Schedule F: Special Figures of By-law 05-200 is hereby amended by adding Figure 32: 200 Centennial Parkway North.

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 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

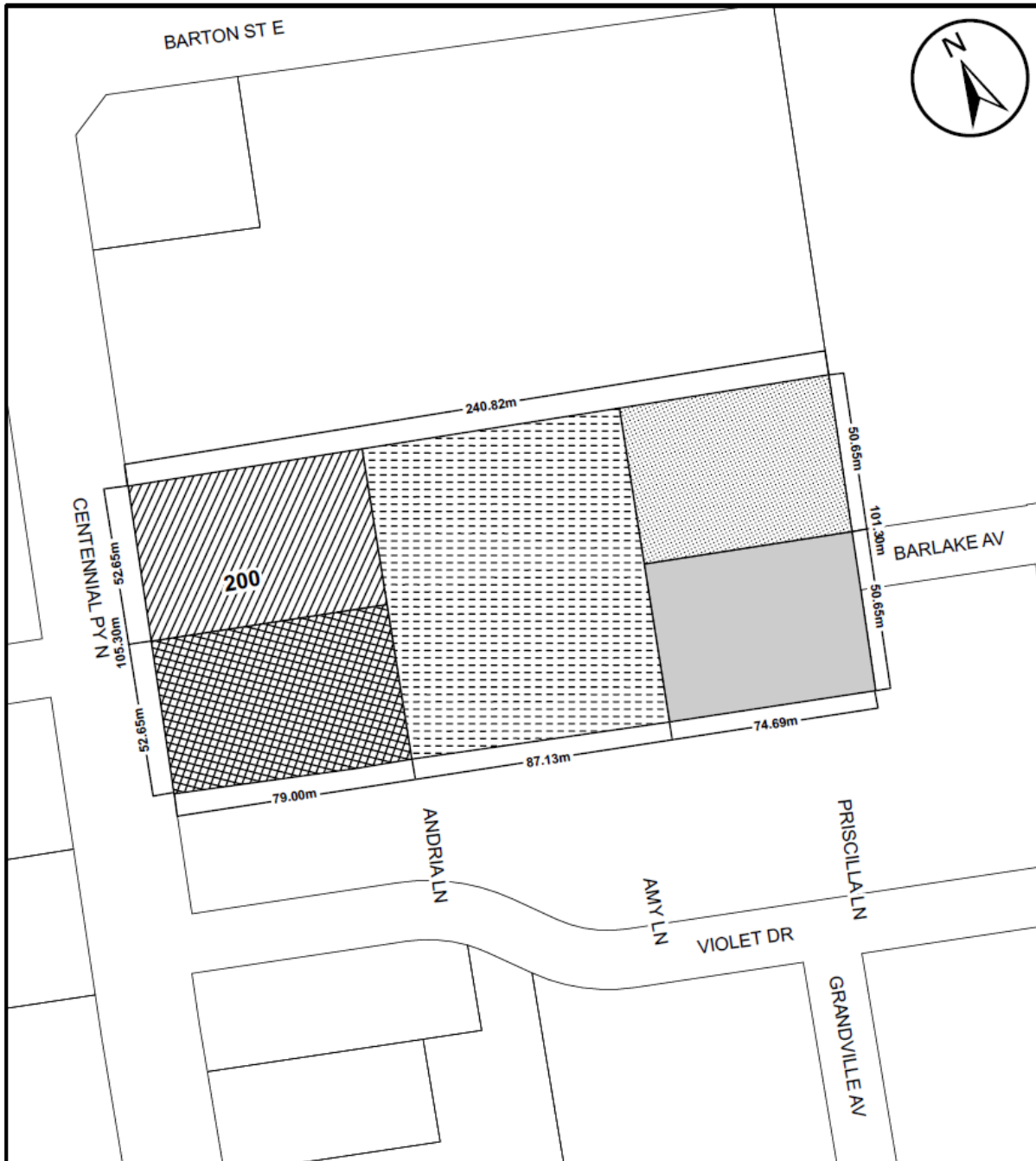
ZAC-22-013



<p>This is Schedule "A" to By-law No. 23-</p> <p>Passed the day of, 2023</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
--	---

<p>Schedule "A"</p> <p>Map forming Part of By-law No. 23-_____</p> <p>to Amend By-law No. 05-200 Maps 1094 & 1143</p>	<p>Subject Property</p> <p>200 Centennial Parkway North, Hamilton</p> <p> Change in zoning from "G-1/S-635" (Designed Shopping Centre) District, Modified to Mixed Use – High Density (C4, 853) Zone</p>
--	---

<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-20-013</p>	<p>Hamilton</p>
<p>Date: July 24, 2023</p>	<p>Planner/Technician: DB/VS</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		








Special Figure 32: 200 Centennial Parkway North

Date:
July 24, 2023

Legend

200 Centennial Parkway North

- | | | |
|---|---|---|
|  Block 1 |  Block 3 |  Block 5 |
|  Block 2 |  Block 4 | |



Authority: Item 7, Planning Committee
Report 23-012 (PED23174)
CM: August 18, 2023
Ward: 7
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 152

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 311 Rymal Road East, Hamilton

WHEREAS Council approved Item 7 of Report 23-012 of the Planning Committee, at its meeting held on August 18, 2023;

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 Map Nos. 1446 and 1447 of Schedule “A” – Zoning Maps is amended by adding the Low Density Residential (R1, 859) Zone and Low Density Residential – Small Lot (R1a, 865) Zone to the lands attached as Schedule “A” to this By-law.
2. That Schedule “C” - Special Exceptions is amended by adding the following new Special Exception:
 - “859. Within the lands zoned Low Density Residential (R1) Zone, identified on Map Nos. 1446 and 1447 of Schedule “A” – Zoning Maps and described as 311 Rymal Road East, the following special provisions shall apply:
 - a) Notwithstanding Section 4.6. d), Permitted Yard Encroachments, the maximum projection of the existing porch of the single detached dwelling into the front yard setback shall be 2.61 metres;
 - b) Notwithstanding Section 4.8.1.1 a), Buildings Accessory to a Single Detached Dwelling, the maximum Gross Floor Area of the existing rear yard garage shall not exceed 55 square metres; and,
 - c) Notwithstanding Section 5.1 b) ii) and iii) the existing driveway width of 5.1 metres shall be permitted.”
3. That Schedule “C” - Special Exceptions is amended by adding the following new Special Exception:
 - “865. Within the lands zoned Low Density Residential (R1a) Zone, identified on Map Nos. 1446 and 1447 of Schedule “A” – Zoning Maps and described as 311 Rymal Road East, the following special provisions shall apply:

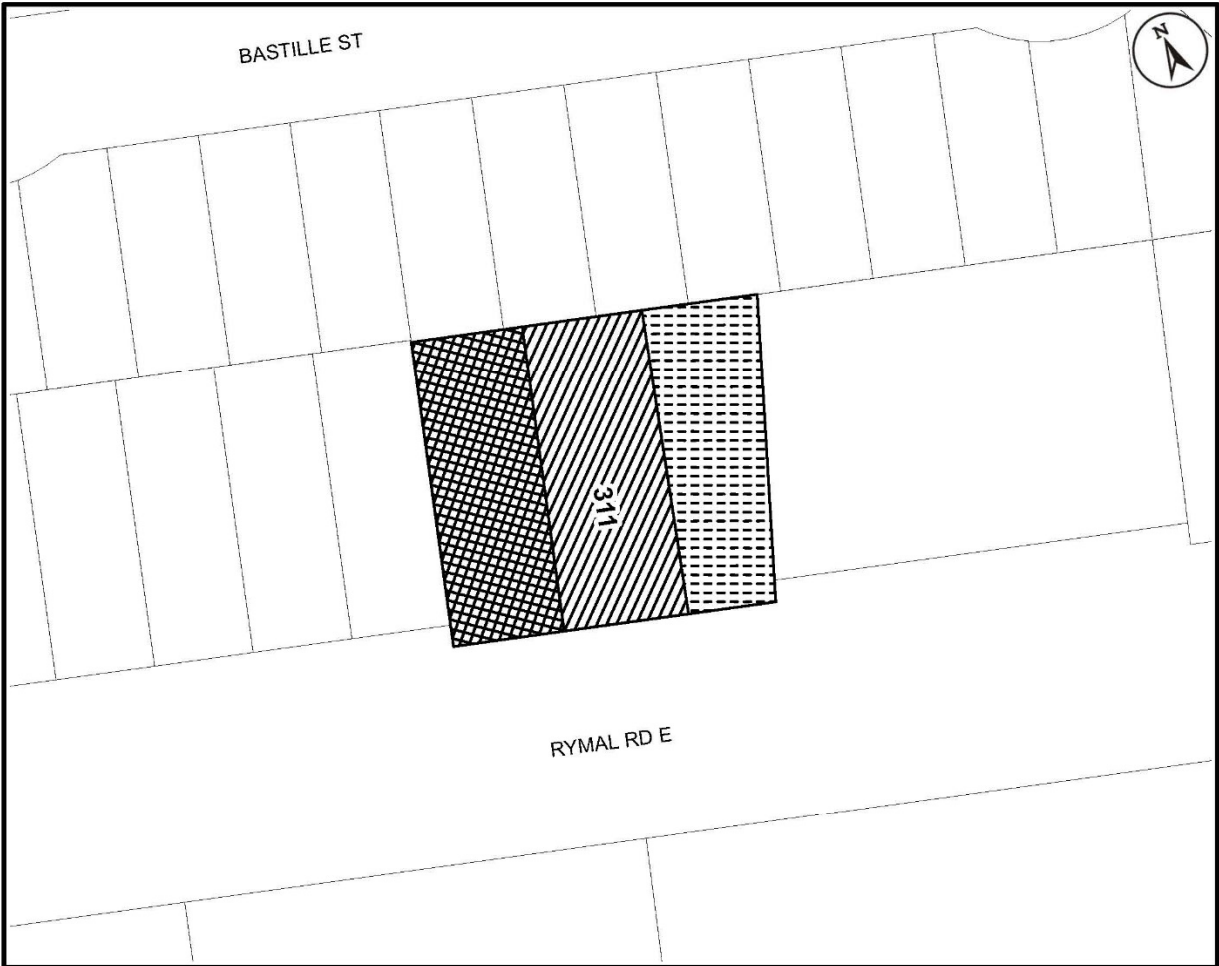
- a) Notwithstanding Section 4.35. a), Landscape Requirements, the Minimum Landscaped Area in the Front Yard for shall be 44% for Block 3, Special Figure
 - b) Notwithstanding Section 4.6. d), Permitted Yard Encroachments, a porch, deck or canopy may encroach into any required yard to a maximum of 1.6 metres;
 - c) Notwithstanding Section 15.2.2.2 b), Semi-Detached Dwelling Regulations, the Minimum Lot width for each Dwelling Unit shall be 5.6 metres for Block 3, Special Figure 34;
 - d) Notwithstanding Section 15.2.2.2 c), Semi-Detached Dwelling Regulations, the Minimum Setback from the Front Lot Line shall be 6.0 metres.”
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*.
5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Low Density Residential (R1) Zone and Low Density Residential – Small Lot (R1a) Zone provisions, subject to the special requirements referred to in Section Nos. 2 and 3 of this By-law.

PASSED this 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

ZAR-22-052







This is Schedule "A" to By-law No. 23- Passed the day of, 2023	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 23-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 1446 & 1447</p>	<p>Subject Property</p> <p>311 Rymal Road East, Hamilton (Ward 7)</p> <ul style="list-style-type: none"> <li style="margin-bottom: 10px;"> Block 1 - Change in zoning from the "B" (Suburban Agriculture and Residential, Etc.) District to the Low Density Residential (R1, 859) Zone <li style="margin-bottom: 10px;"> Block 2 - Change in zoning from the "B" (Suburban Agriculture and Residential, Etc.) District to the Low Density Residential – Small Lot (R1a, 865) Zone Block 3 - Change in zoning from the "B" (Suburban Agriculture and Residential, Etc.) District to the Low Density Residential – Small Lot (R1a, 865) Zone
---	---

Scale: N.T.S.	File Name/Number: ZAR-22-052		
Date: July 12, 2023	Planner/Technician: MF/AL		
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		Hamilton	



Special Figure 34: 311 Rymal Road East		Date: July 12, 2023
Legend		
	Block 1 - Change in zoning from the "B" (Suburban Agriculture and Residential, Etc.) District to the Low Density Residential (R1, 859) Zone	
	Block 2 - Change in zoning from the "B" (Suburban Agriculture and Residential, Etc.) District to the Low Density Residential – Small Lot (R1a, 865) Zone	Block 3 - Change in zoning from the "B" (Suburban Agriculture and Residential, Etc.) District to the Low Density Residential – Small Lot (R1a, 865) Zone
		

Authority: Item 5, Planning Committee
Report 23-012 (PED23162)
CM: August 18, 2023
Ward: 14
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 153

**CITY OF HAMILTON
BY-LAW NO. 23-**

**To Amend Zoning By-law No. 05-200 with Respect to Lands Located at
631 and 639 Rymal Road West, Hamilton**

WHEREAS Council approved Item 5 of Report 23-012 of the Planning Committee, at its meeting held on August 18th, 2023;

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 Map No. 1340 of Schedule "A" – Zoning Maps is amended by adding the Transit Oriented Corridor Multiple Residential (TOC3, 864, H157) Zone to the lands as shown on Schedule "A" to this By-law.

2. That Schedule "C" - Special Exceptions is amended by adding the following new Special Exception:

"864. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map No. 1340 of Schedule "A" – Zoning Maps and described as 631 and 639 Rymal Road West, the following special provisions shall apply:

a) Notwithstanding Subsection 4.6 e), a balcony may encroach into any required yard to a maximum of 1.5 metres.

b) Notwithstanding Subsection 5.2 b) vi), the minimum parking space size of not more than 16 required parking spaces may have a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.

c) Section 11.3.1.1 i) 1. shall not apply.

d) Notwithstanding Subsections 11.3.2 a) i), c), and e) ii) and iii), the following regulations shall apply:

i) Building Setback from a Street Line Minimum 0.5 metres;

- | | | |
|------|----------------------------|---|
| ii) | Minimum Interior Side Yard | 1.6 metres to the portion of the parking structure located above grade; |
| | | 5.5 metres to the 1 st , 2 nd , 3 rd and 4 th storeys; |
| | | 13.6 metres for the 5 th , 6 th and 7 th storeys; |
| | | 20.5 metres for the 8 th storey; |
| | | 25.0 metres for the 9 th and 10 th storeys; |
| | | 26.6 metres for the 11 th storey; and, |
| | | 29.3 metres for the 12 th storey; |
| iii) | Building Height | a) Maximum 40.0 metres. |
| | | b) In addition to Section 11.3.2 e) i) and notwithstanding Section a) above, any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 11.3.2 b) and c), when abutting a Residential or Institutional Zone, to a maximum of 40.0 metres. |

3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:

“157. Notwithstanding Section 11.3 of this By-law, within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 864) Zone, identified on Map 1340 of Schedule “A” – Zoning Maps and described as 631 and 639 Rymal Road West, the following special provisions shall apply:

- a) No development shall be permitted until such time as:
- i) The Owner submits a Sanitary Sewer Capacity Analysis, to the satisfaction of the Director of Growth Management and Chief Development Engineer; and,
 - ii) The Owner makes satisfactory arrangements with the City's Growth Management Division and enters into an External Works Agreement with the City for the design and construction of any improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the municipal infrastructure to support the proposed development, to the satisfaction of the Director of Growth Management and Chief Development Engineer."
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*.
5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Modified, Transit Oriented Corridor Multiple Residential (TOC3, 864, H157) Zone, subject to the special requirements referred to in Section No. 2 and 3 of this By-law.

PASSED this 18th day of August, 2023

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-028



This is Schedule "A" to By-law No. 23-

Passed the day of, 2023

Mayor

Clerk


Schedule "A"

Map forming Part of
By-law No. 23-_____

to Amend By-law No. 05-200
Map 1340

Subject Property

631 & 639 Rymal Road West, Hamilton (Ward 14)

 Lands to be added to the Transit Oriented Corridor
Multiple Residential (TOC3, 864, H157) Zone

Scale:
N.T.S

File Name/Number:
ZAC-22-028

Date:
June 19, 2023

Planner/Technician:
JL/NB



Hamilton

Authority: Item 2, Audit, Finance and Administration
Committee Report 23-012 (FCS23089)
CM: August 18, 2023
Ward: City Wide
Written approval of this by-law was given by
Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 154

CITY OF HAMILTON

BY-LAW NO. 23-

A By-law to Repeal and Replace By-law No. 13-064, being a By-Law for the Delegation of Authority to the Treasurer and Deputy Treasurers for Assessment Appeals

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes and, in particular, paragraph 3 of subsection 10(2) authorizes by-laws respecting the financial management of the municipality;

AND WHEREAS section 40 of the *Assessment Act* authorizes a municipality to appeal to the Assessment Review Board:

(a) on the basis that:

- (i) the current value of the person's land or another person's land is incorrect;
- (ii) the person or another person was wrongly placed on or omitted from the assessment roll;
- (iii) the person or another person was wrongly placed on or omitted from the roll in respect of school support;
- (iv) the classification of the person's land or another person's land is incorrect;
- (v) for land, portions of which are in different classes of real property, the determination of the share of the value of the land that is attributable to each class is incorrect; or

(b) on such other basis as the Minister may prescribe.

AND WHEREAS a taxing authority may make an application to review to the Payments- in-Lieu-of- Taxes Dispute Advisory Panel, established under s. 11.1 of the *Payment-in- Lieu-of-Taxes Act (Canada)*, if the taxing authority is in disagreement with a Payment- in-Lieu-of-Taxes it has received;

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

1. In this By-law, "proceedings" means any court or tribunal proceeding related to municipal taxation including without limitation: property assessment, taxation, or the collection of taxes commenced under the *Assessment Act*, *Municipal Act* or the *Payment-in-Lieu-of-Taxes Act* (Canada).
2. The Treasurer and the Deputy Treasurers are delegated the authority to commence, maintain and settle proceedings on behalf of the City of Hamilton, subject to such direction as may be given by Council or the appropriate Standing Committee of the City of Hamilton from time to time.
3. The Treasurer's and the Deputy Treasurers' authority to commence, maintain and settle proceedings includes but is not limited to the authority to:
 - (a) initiate proceedings or participate in proceedings initiated by another party;
 - (b) negotiate and execute Minutes of Settlement; and
 - (c) withdraw from proceedings.
4. The Treasurer and the Deputy Treasurers shall use the most efficient combination of staff and external resources, as required, when exercising their delegated authority under this By-law, and, in so doing, may make further delegations.
5. The Treasurer's and the Deputy Treasurers' exercise of their delegated authority under this By-law shall be reported to Council or the appropriate Standing Committee of the City of Hamilton at least once in a calendar year.
6. This By-Law comes into force on the date of its passing.

PASSED this 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Authority: Item 8, Planning Committee
Report: 23-012 (PED23119)
CM: August 18, 2023
Ward: 12
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023
Bill No. 155

CITY OF HAMILTON

BY-LAW NO. 23-

To Adopt Official Plan Amendment No. 189 to the Urban Hamilton Official Plan

Respecting:

**382 Southcote Road
(former Town of Ancaster)**

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

1. Amendment No. 189 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 189

The following text, together with Appendix “A”, Volume 2, Map B.2.3-1 – Garner Neighbourhood Secondary Plan – Land Use Plan, attached hereto, constitutes Official Plan Amendment No. 189 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to establish a Site Specific Policy Area within the Garner Neighbourhood Secondary Plan to permit a minimum 12 metre lot frontage and maximum density of 24 units per gross/net residential hectare within the “Low Density Residential 1a” designation.

2.0 Location:

The lands affected by this Amendment are known municipally as 382 Southcote Road, in the former Town of Ancaster.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development implements the Residential Intensification policies of the Urban Hamilton Official Plan;
- The proposed development represents a compatible built form that integrates with the surrounding area in terms of use, scale and character; and,
- The proposed Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

4.0 Actual Changes:

4.1 Volume 2 – Secondary Plans

Text

4.1.1 Chapter B.2.0 – Ancaster Secondary Plans – Section B.2.3 – Garner Neighbourhood Secondary Plan

- a. That Volume 2: Chapter B.2.0 – Ancaster Secondary Plans, Section B.2.3 – Garner Neighbourhood Secondary Plan be amended by adding a new Site Specific Policy Area, as follows:

“Site Specific Policy – Area D

B.2.3.6.4 For the lands located at 382 Southcote Road, designated Low Density Residential 1a and identified as Site Specific Policy -Area D on Map B.2.3-1 – Garner Neighbourhood Secondary Plan – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy B.2.3.1.2 b) and Policy B.2.3.1.3 b) ii) of Volume 2, single detached dwellings shall be located on lots with a minimum frontage of 12 metres; and,
- b) Notwithstanding Policy B.2.3.1.3 b) iii) of Volume 2, the density shall not exceed 24 dwelling units per gross/net residential hectare.”

Maps and Appendices

4.2.2 Map

- a. That Volume 2: Map B.2.3-1 – Garner Neighbourhood Secondary Plan – Land Use Plan be amended by identifying the subject lands as Site Specific Policy – Area D, as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

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

This Official Plan Amendment is Schedule "1" to By-law No. 23-155 passed on the 18th day of August, 2023.

**The
City of Hamilton**

A. Horwath
Mayor

A. Holland
City Clerk

Appendix A
 APPROVED Amendment No. 189
 to the Urban Hamilton Official Plan

D Lands to be identified as
 Site Specific Policy Area - "D"

Date: August 15, 2023	Revised By: AB/NB	Reference File No.: OPA-U-189(A)
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- ### Legend
- Residential Designations**
- Low Density Residential (Infill/Existing)
 - Low Density Residential 1
 - Low Density Residential 1a
 - Low Density Residential 2a
 - Low Density Residential 2c
 - Low Density Residential 3a
 - Medium Density Residential 2b
- Parks and Open Space Designations**
- Neighbourhood Park
 - General Open Space
 - Natural Open Space
- Other Designations**
- Institutional
 - Local Commercial
- PES** Public Elementary School
- Utility**
- SWM** Storm Water Management
- Other Features**
- Area or Site Specific Policy
 - Unopened Road Allowance
 - Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Garner Neighbourhood
Secondary Plan
 Land Use Plan
 Map B.2.3-1

Date: February 2021

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

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 THIS IS NOT A PLAN OF SURVEY.

Authority: Item 8, Planning Committee
Report 23-012 (PED23119)
CM: August 18, 2023
Ward: 12
Written approval for this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No.156

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 382 Southcote Road, Ancaster

WHEREAS Council approved Item 8 of Report 23-012 of the Planning Committee, at its meeting held on August 18th, 2023;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon adoption of Urban Hamilton Official Plan Amendment No. 189;

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

1. That Map No. 1336 of Schedule "A" – Zoning Maps is amended by adding the Low Density Residential (R1, 848) Zone to the lands attached as Schedule "A" to this By-law.
2. That Schedule "C" - Special Exceptions is amended by adding the following new Special Exception:

"848. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1336 of Schedule "A" – Zoning Maps and described as 382 Southcote Road, the following special provisions shall apply:

- a) Notwithstanding Subsection 15.1.1, the following uses shall be prohibited:

Duplex Dwelling
Semi-Detached Dwelling
Street Townhouse Dwelling"

- b) Notwithstanding Subsection 15.1.2.1 d), the following provision shall apply:

- i) Minimum Side Yard Setback
- a) 1.2 metres;
- b) Notwithstanding b) i) a) above, 4.5 metres shall be provided from the side lot line abutting 540 Gray Court Drive.

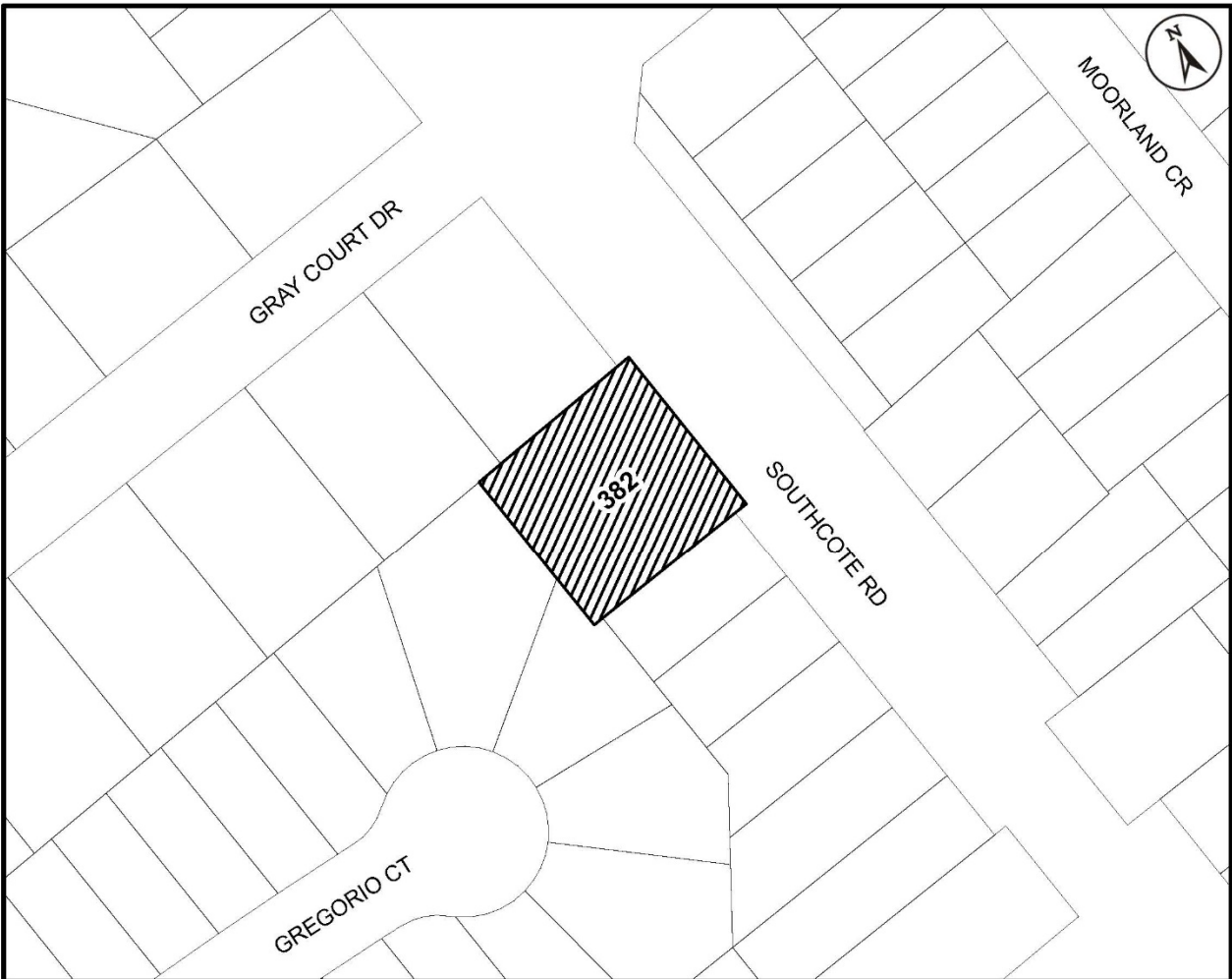
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Low Density Residential (R1, 848) Zone, subject to the special requirements referred to in Section No. 2 of this By-law.

PASSED this 18th day of August, 2023

A. Horwath
Mayor

A. Holland
City Clerk

ZAR-23-003
UHOPA-23-003




This is Schedule "A" to By-law No. 23-
Passed the day of, 2023

Mayor

Clerk

Schedule "A"
Map forming Part of
By-law No. 23-_____
to Amend By-law No. 87-57

Subject Property
382 Southcote Road
 Lands to be added to Zoning By-law No. 05-200 as
Low Density Residential (R1, 848) Zone

Scale:
N.T.S

File Name/Number:
ZAR-23-003 & UHOPA-23-003

Date:
May 4, 2023

Planner/Technician:
AB/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Authority: Item 4, Planning Committee Report 23-012 (PED23173)
CM: August 18, 2023
Ward: 5
Written approval for this by-law was given by Mayoral Decision MDE-2023-01 dated August 18, 2023

Bill No. 157

CITY OF HAMILTON

BY-LAW NO. 23-

To Adopt:

**Official Plan Amendment No. 190 to
the Urban Hamilton Official Plan**

Respecting:

95, 99, 103 and 105 Highway 8

(former City of Stoney Creek)

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

1. Amendment No. 190 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Schedule “1”

Urban Hamilton Official Plan Amendment No. 190

The following text, together with:

Appendix “A”	Volume 2: Appendix A – Secondary Plan Index Map
Appendix “B”	Volume 2: Map 7.2-1 – Old Town Secondary Plan – Land Use Plan

attached hereto, constitutes Official Plan Amendment No. “190” to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to add additional lands within the Secondary Plan area and add a Site Specific Policy to permit a mixed use development with a maximum height of 12 storeys on the subject lands.

2.0 Location:

The lands affected by this Amendment are known municipally as 95, 99, 103 and 105 Highway No. 8, in the former City of Stoney Creek and City of Hamilton.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development will be compatible with and complementary to the residential and commercial uses within the surrounding community;
- The proposed development efficiently utilizes existing infrastructure and supports transit;
- The proposed development implements the Residential Intensification and Mixed Use – Medium Density Designation policies of Volume 1 of the Urban Hamilton Official Plan;
- 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 2 – Secondary Plans

Text

4.1.1 Chapter B.7.0 – Stoney Creek Secondary Plans – Section B.7.2 – Old Town Secondary Plan

- a. That Volume 2: Chapter B.7.0 – Stoney Creek Secondary Plans, Section B.7.2 – Old Town Secondary Plan be amended by adding a new Site Specific Policy, as follows:

“Site Specific Policy – Area J

B.7.2.8.10 Notwithstanding Policy B.7.2.4.2 c) of Volume 2, for the lands located at 95, 99, 103 and 105 Highway 8, designated Mixed-Use Medium Density, and identified as Site Specific Policy Area J on Map B.7.2-1, the following policy shall also apply:

- a) the building height shall not exceed 12 storeys.”

Maps

4.1.2 Map

- a. That Volume 2: Secondary Plan Index Map be amended by adding lands to the Old Town Secondary Plan area, as shown on Appendix “A” attached to this amendment.
- b. That Volume 2: Map B.7.2-1 – Old Town Secondary Plan – Land Use Plan be amended by:
 - i) adding lands to the Old Town Secondary Plan area and designating the lands “Mixed Use – Medium Density”; and,
 - ii) identifying the subject lands as Site Specific Policy – Area J, as shown on Appendix “B”, attached to this Amendment.

5.0 Implementation:

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


This Official Plan Amendment is Schedule "1" to By-law No. 23-157 passed on the 18th day of August, 2023.

The City of Hamilton

A. Horwath
Mayor

A. Holland
City Clerk

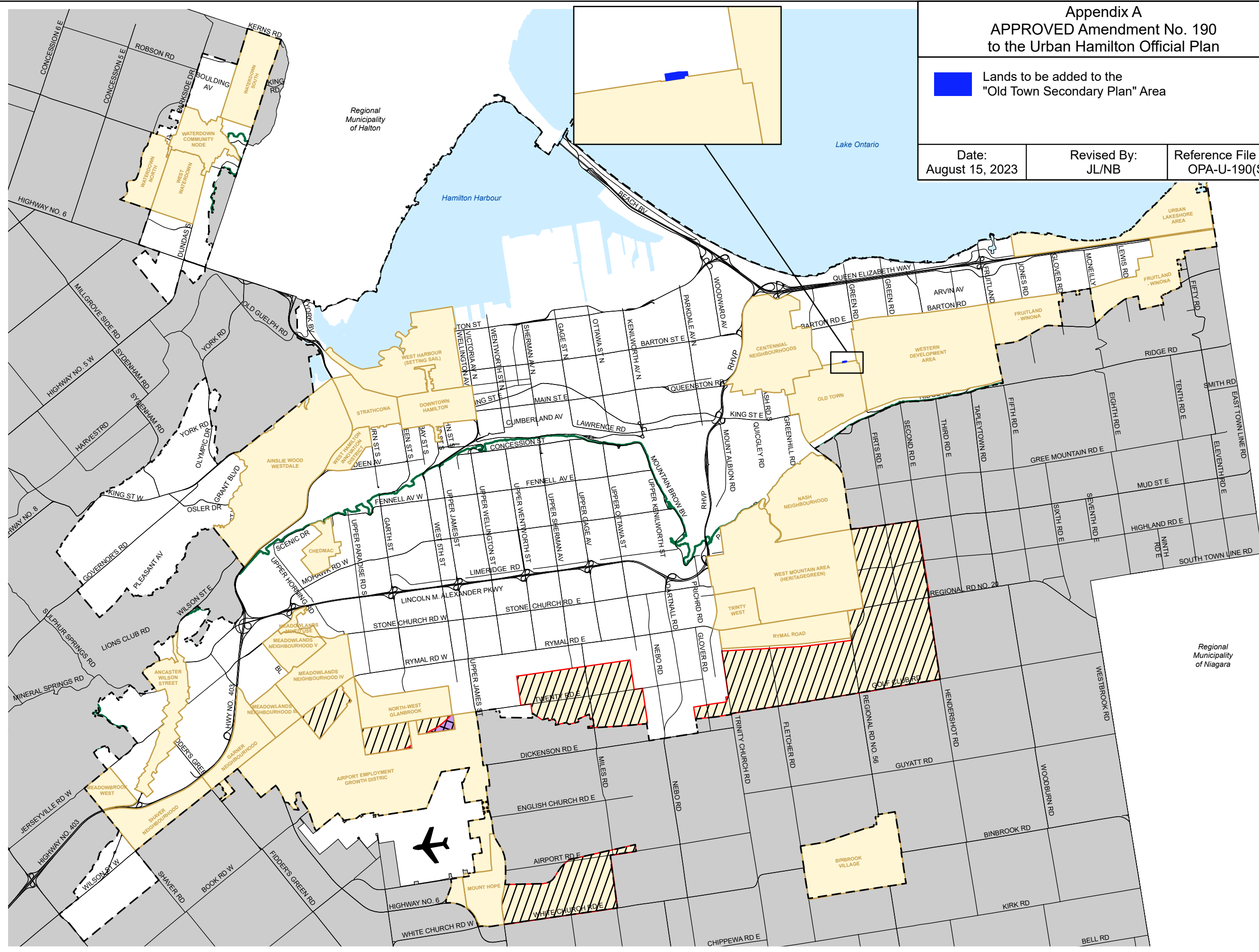
Appendix A
 APPROVED Amendment No. 190
 to the Urban Hamilton Official Plan

 Lands to be added to the "Old Town Secondary Plan" Area




Date:
 August 15, 2023






Revised By:
 JL/NB

Reference File No.:
 OPA-U-190(S)



Legend

-  Secondary Plans
-  Urban Expansion Area - Neighbourhoods
-  Urban Expansion Area - Employment Area


- 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
 Volume 2: Appendix A
 Secondary Plans Index Map**



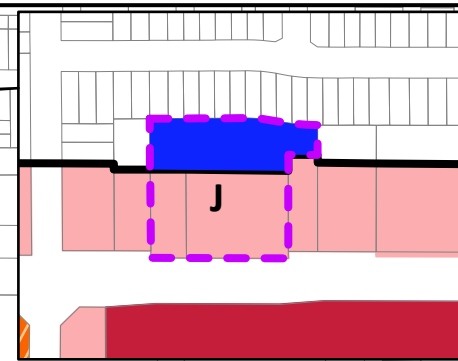
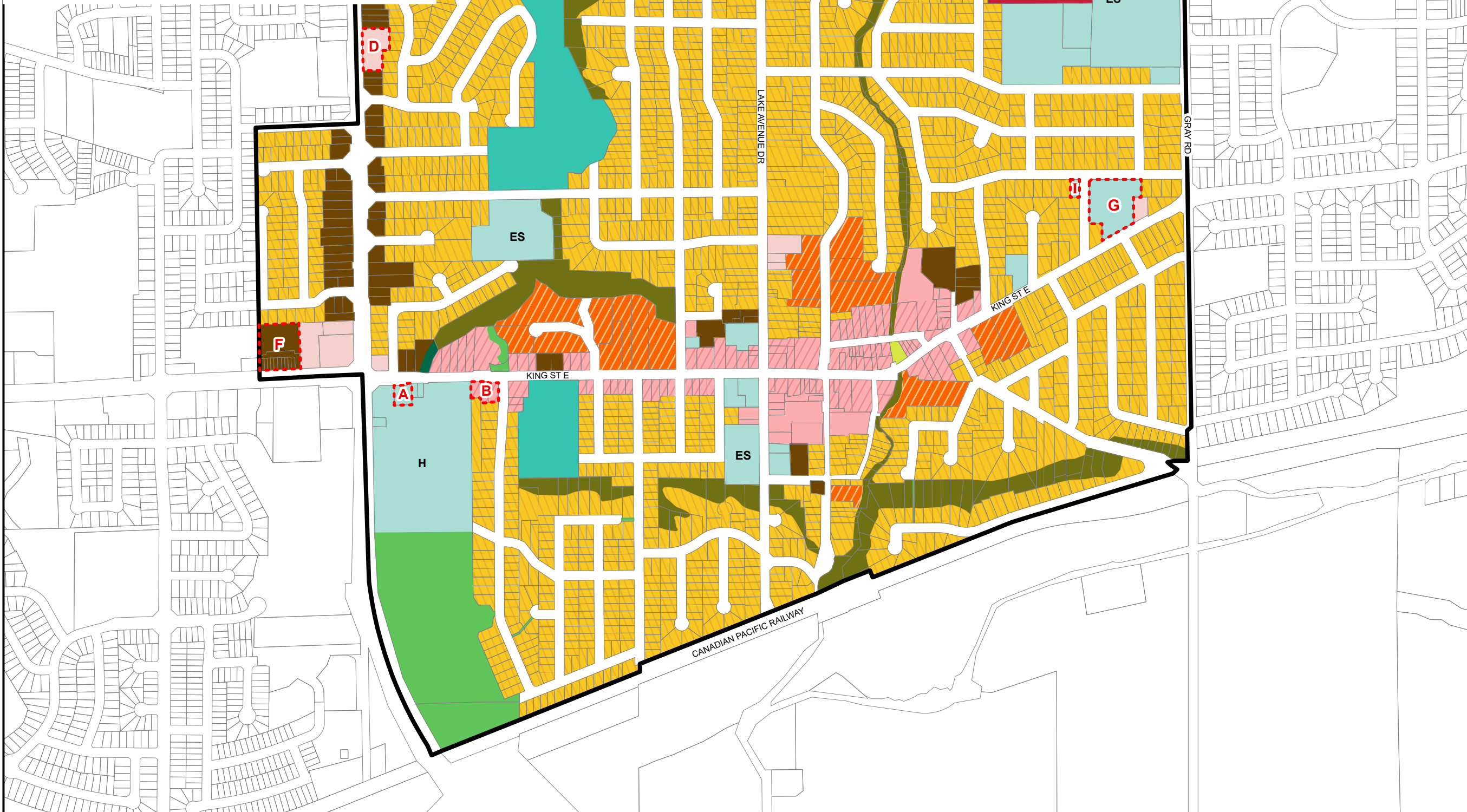
Appendix B
 APPROVED Amendment No. 190
 to the Urban Hamilton Official Plan

 Lands to be added to the Old Town Secondary Plan Area and designated "Mixed Use - Medium Density"

 Lands to be identified as Site Specific Policy - Area "J"




(95-105 Highway No. 8, Stoney Creek)

Date: August 15, 2023	Revised By: JL/NB	Reference File No.: OPA-U-190(S)
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Legend






Residential Designations

-  Low Density Residential 2a
-  Medium Density Residential 3
-  High Density Residential 1


Commercial and Mixed Use Designations

-  Local Commercial
-  Mixed Use - Medium Density
-  Mixed Use - Medium Density - Pedestrian Focus
-  Mixed Use - High Density
-  District Commercial



Parks and Open Space Designations

-  Parkette
-  Neighbourhood Park
-  Community Park
-  General Open Space
-  Natural Open Space

Other Designations

-  Institutional
- ES** Elementary School
- H** Historic Site

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
Old Town Secondary Plan
 Land Use Plan
 Map B.7.2-1

Date: January 2022



Not To Scale



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
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Authority: Item 4, Planning Committee
Report 23-012 (PED23173)
CM: August 18, 2023
Ward: 5
Written approval for this by-law was
given by Mayoral Decision MDE-2023-01
dated August 18, 2023

Bill No. 158

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 95, 99, 103 and 105 Highway 8, Stoney Creek

WHEREAS Council approved Item 4 of Report 23-012 of the Planning Committee, at its meeting held on August 18, 2023;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan upon the approval of Official Plan Amendment No. 190;

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

1. That Map No. 1195 of Schedule "A" – Zoning Maps is amended by changing the zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density (C5, 862, H158) Zone to the lands as shown on Schedule "A" to this By-law.
2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exception:
 - "862. Within the lands zoned Mixed Use Medium Density (C5) Zone on Map No. 1195 of Schedule "A" – Zoning Maps and described as 95, 99, 103 and 105 Highway 8, the following special provisions shall apply:
 - a) Notwithstanding Subsection 4.6 e), a balcony may encroach into any required yard to a maximum of 1.5 metres.
 - b) Notwithstanding Subsection 4.6 e), a balcony abutting a Street Line may encroach into the required yard to a maximum of 2.0 metres.
 - c) In addition to Section 10.5, the following regulations shall apply:
 - i) Underground garage ramps shall have a minimum required rear yard setback of 7.0 metres.
 - d) Notwithstanding Sections 10.5.3 a), b), c), and d) ii), iii), iv), A), B), C), the following regulations shall apply:

- i) Building Setback from a Street Line
 - 1. A minimum setback of 3.0 metres;
 - 2. A minimum setback of 5.0 metres for any portion of the building exceeding a height of 30.5 metres; and,
 - 3. A minimum setback of 8.0 metres for any portion of the building exceeding a height of 33.8 metres.
 - 4. A minimum setback of 11.0 metres for any portion of the building exceeding a height of 37.1 metres.
 - 5. A minimum setback of 14.97 metres for any portion of the building exceeding a height of 41.1 metres.

- ii) Minimum Rear Yard
 - 1. A minimum setback of 7.5 metres;
 - 2. A minimum setback of 12 metres for any portion of the building exceeding a height of 12 metres;
 - 3. A minimum setback of 15 metres for any portion of the building exceeding a height of 15 metres;
 - 4. A minimum setback of 18 metres for any portion of the building exceeding a height of 18 metres;
 - 5. A minimum setback of 21 metres for any portion of the building exceeding a height of 21 metres;

6. A minimum setback of 24 metres for any portion of the building exceeding a height of 24 metres;
 7. A minimum setback of 27 metres for any portion of the building exceeding a height of 27 metres;
 8. A minimum setback of 30 metres for any portion of the building exceeding a height of 30.5 metres;
 9. A minimum setback of 33 metres for any portion of the building exceeding a height of 33.8 metres;
 10. A minimum setback of 37 metres for any portion of the building exceeding a height of 37.1 metres;
and,
 11. A minimum setback of 43.2 metres for any portion of the building exceeding a height of 41.1 metres.
- iii) Minimum Interior Side Yard
1. A minimum setback of 3.0 metres to the portion of the garage wall that protrudes above the grade along the western side of the subject lands.
 2. A minimum setback of 14.7 metres for any portion of the building that abuts a residential lot containing a residential use.
- iv) Building Height
1. Maximum 44 metres.

2. In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:
 - a. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 40% of the floor area of the storey directly beneath;
 - b. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 0.0 metres from the exterior walls of the storey directly beneath; and,
 - c. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not

be greater than 6.0
metres vertical
distance from the
uppermost point of the
building to the
uppermost point of the
rooftop enclosure.

3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:

“158 Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use – Medium Density (C5) Zone, identified on Map No. 1195 of Schedule “A” – Zoning Maps and described as 95, 99, 103, and 105 Highway 8, no development shall be permitted until such time as:

- i) The Owner submitting a Sanitary Sewer Capacity Analysis, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
- ii) The Owner submitting an updated Functional Servicing Report in accordance with the City’s standards, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
- iii) The Owner submitting a Watermain Hydraulic Analysis to the satisfaction of the Director of Growth Management and Chief Development Engineer.
- iv) The Owner submitting a revised Hydrogeology Report specifying the levels of underground parking and impacts and mitigation measures for the groundwater systems, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
- v) The Owner submitting easement document details for the privately owned rear yard catch basins to be considered as a storm outlet for the subject site and acknowledging that the future condominium corporation on the subject site will be responsible to operate, maintain and mitigate any negative impacts for the proposed storm outlets at the future condominium corporation’s cost, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
- vi) The Owner making satisfactory arrangements with the City’s Growth Management Division and entering into an External Works Agreement with the City for the design and construction of any required improvements to the municipal infrastructure at the Owner’s cost, should it be determined that upgrades are required to the municipal infrastructure to support the proposed development,

all to the satisfaction of the Director of Growth Management and
Chief Development Engineer.

- vii) The Owner submitting a revised Tree Protection Plan addressing the protection of the trees found within the City's right-of-way and that finalizes the justification for the removal of the identified trees, and submitting written confirmation, from the owner of 505 Berkindale Drive, for permission to encroach into the dripline of "Tree A", to the satisfaction of the Director of Planning and Chief Planner. The resubmission is also to include the applicable Tree Protection Plan review fee payable to the City of Hamilton.
 - viii) The Owner investigating traffic calming measures on Donn Avenue and Berkindale Drive and pay 50% of the costs, to a maximum of \$50,000.00, of the identified traffic calming measures, to the satisfaction of the Director of Transportation and Parking.
- 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*.
 - 5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Mixed Use Medium Density (C5, 862, H158) Zone, subject to the special requirements referred to in Section No. 2 and 3 of this By-law.

PASSED this 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-23-034



This is Schedule "A" to By-law No. 23-

Passed the day of, 2023

Mayor

Clerk


Schedule "A"

Map forming Part of
By-law No. 23-_____

to Amend By-law No. 05-200
Map 1195

Subject Property

95-105 Highway No. 8, Stoney Creek

 Change in zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density (C5, 862, H158) Zone

Scale:
N.T.S

File Name/Number:
ZAC-23-034/UHOPA-23-016

Date:
July 5, 2023

Planner/Technician:
JL/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT