



**City of Hamilton  
PLANNING COMMITTEE  
AGENDA**

**Meeting #:** 23-020  
**Date:** December 5, 2023  
**Time:** 9:30 a.m.  
**Location:** Council Chambers (Planning)  
Hamilton City Hall  
71 Main Street West

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

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**Pages**

**1. CEREMONIAL ACTIVITIES**

**2. APPROVAL OF AGENDA**

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

**3. DECLARATIONS OF INTEREST**

**4. APPROVAL OF MINUTES OF PREVIOUS MEETING**

4.1 November 14, 2023

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**5. COMMUNICATIONS**

**6. DELEGATION REQUESTS**

6.1 Jagtar Chahal respecting Reinstating Inactive License Fee for Inactive Taxi Plates (For today's meeting)

6.2 Ron Vankleef respecting Reinstating Inactive License Fee for Inactive Taxi Plates (For today's meeting)

6.3 Denrick Mushrave respecting Reinstating Inactive License Fee for Inactive Taxi Plates (For today's meeting)

- 6.4 Iftikhar Ahmed respecting Reinstating Inactive License Fee for Inactive Taxi Plates (For today's meeting)
- 6.5 Shannon Kyles, Architectural Conservancy of Ontario (Hamilton Region Branch), respecting 54 Hess Street (For the January 16, 2024 meeting)

**7. DELEGATIONS**

- 7.1 Lloyd Ferguson respecting Reinstating Inactive License Fee for Inactive Taxi Plates (Approved at November 14th Meeting)

**8. STAFF PRESENTATIONS**

**9. CONSENT ITEMS**

- 9.1 Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23254) (City Wide) 77

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    - (ii) Anita Lauinger
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<b>16.</b>	<b>ADJOURNMENT</b>	



**PLANNING COMMITTEE  
MINUTES  
23-019**

November 14, 2023

9:30 a.m.

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

**Present:** Councillor J.P. Danko (Chair)  
Councillor T. Hwang (1st Vice Chair)  
Councillor C. Cassar (2nd Vice Chair)  
Councillors J. Beattie, M. Francis, C. Kroetsch, T. McMeekin,  
N. Nann, E. Pauls, M. Tadeson, A. Wilson, M. Wilson

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

- 1. 2024 Licensing and By-Law Services Division's Priorities and Timelines for new by-laws, including Adequate Temperature By-Law (PED23238) (City Wide) (Outstanding Business List Item) (Item 9.1)**

**(Cassar/Pauls)**

That Report PED23238 respecting 2024 Licensing and By-Law Services Division's Priorities and Timelines for new by-laws, including Adequate Temperature By-Law, be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

- 2. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23239) (City Wide) (Item 9.2)**

**(Hwang/Tadeson)**

That Report PED23239 respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

- YES – Ward 1 Councillor M. Wilson
- YES – Ward 2 Councillor C. Kroetsch
- YES – Ward 3 Councillor N. Nann
- YES – Ward 4 Councillor T. Hwang
- YES – Ward 5 Councillor M. Francis
- YES – Ward 7 Councillor E. Pauls
- YES – Ward 8 Councillor J.P. Danko
- YES – Ward 10 Councillor J. Beattie
- YES – Ward 11 Councillor M. Tadeson
- YES – Ward 12 Councillor C. Cassar
- YES – Ward 13 Councillor A. Wilson
- YES – Ward 15 Councillor T. McMeekin

**3. Applications for Urban Official Plan Amendment UHOPA-21-001, Zoning By-law Amendment ZAC-21-001 and Draft Plan of Subdivision for Lands Located at 3169 Fletcher Road, Glanbrook (PED23210) (Ward 11) (Item 10.1)**

**(Tadeson/Hwang)**

- (a) That Official Plan Amendment Application UHOPA-21-001, by A.J. Clarke and Associates Ltd. (c/o Stephen Fraser), on behalf of Joe Sarto, Owner, to re-designate the subject lands from “Low Density Residential 2h” to “Low Density Residential 3c” in the Binbrook Village Secondary Plan, to permit the development of block townhouse and back to back townhouse dwellings with a maximum density of 49 dwellings per net residential hectare, for lands located at 3169 Fletcher Road, as shown on Appendix “A” attached to Report PED23210, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED23210, be adopted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);

- (b) That Zoning By-law Amendment Application ZAC-21-001, by A.J. Clarke and Associates Ltd. (c/o Stephen Fraser, on behalf of Joe Sardo, Owner, for a change in zoning from the Restricted Agricultural “A2” Zone to Residential Multiple – Holding “H-RM3-327” Zone, Modified, to permit 23 block townhouse units and 34 back to back townhouse dwellings with two parking spaces per unit and 14 visitor parking spaces, for lands located at 3169 Fletcher Road, as shown on Appendix “A” attached to Report PED23210, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED23210, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and will comply with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. XX;
  - (iii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding “H” as a prefix to the proposed zoning as shown on Schedule “A” of Appendix “C” attached to Report PED23210;

The Residential Multiple – Holding “H-RM4-327” Zone, Modified, applicable to lands shown on Schedule “A” to Appendix “C” attached to Report PED23210 be removed conditional upon the following:

That the “H” Holding Symbol may be removed by a further amendment to this By-law at such time that the landowner demonstrates to the satisfaction of the Director, Growth Management and Chief Engineer that:

- 1) Municipal services are available to the limits of the property, including but not limited to water, sanitary sewers, and storm sewers;
- 2) Street ‘B’ on the Draft Plan of Subdivision 25T-201405 as approved by the Ontario Land Tribunal on May 20, 2016 has been constructed;

- 3) The Stormwater Management Pond within the Draft Plan of Subdivision 25T-201405 as approved by the Ontario Land Tribunal on May 20, 2016, is constructed and fully operational;
- (c) That Draft Plan of Subdivision Application 25T-202101 by A.J. Clarke and Associates Ltd. (c/o Stephen Fraser), on behalf of Joe Sarto, Owner, on lands located at 3169 Fletcher Road, Glanbrook, as shown on Appendix "A" attached to Report PED23210, be APPROVED in accordance with By-law No. 07-323 being the delegation of the City of Hamilton's Assigned Authority Under the *Planning Act* for the Approval of Subdivisions and Condominiums, on the following basis:
- (i) That this approval apply to the Draft Plan of Subdivision "3169 Fletcher Road" certified by Nicholas P. Muth, O.L.S., dated December 13, 2022, consisting of one development block for 23 block townhouses units and 34 back to back townhouse dwellings (Block 1) and one block for a road right of way dedication (Block 2), as shown on Appendix "E" attached to Report PED23210;
  - (ii) That the Owner enter into a Standard Form Subdivision Agreement as approved by City Council and with the Special Conditions as shown on Appendix "F" attached to Report PED23210;
  - (iii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202101, as shown on Appendix "F" attached to Report PED23210, be received and endorsed by City Council;
  - (iii) That in accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual there will be no City of Hamilton cost sharing for this subdivision;
  - (iv) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson

YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**4. Application for a Zoning By-law Amendment for lands Located at 2800 Library Lane and 2641 Regional Road 56, Glanbrook (PED23231) (Ward 11) (Item 10.2)**

**(Tadeson/Nann)**

- (a) That Zoning By-law Amendment Application ZAC-23-022, by SHS Consulting (c/o Andrew Vrana) on behalf of Township of Glanbrook Non-Profit Housing Corporation, Owner, for a change in zoning from the Restricted Agricultural "A2" Zone to the Residential Multiple "RM4-322" Zone, Modified, (Block 1) and from the Residential Multiple "RM4" Zone to the Residential Multiple "RM4-322" Zone, Modified, (Block 2) to permit the development of a three storey adult lifestyle multiple dwelling with 105 dwelling units and 78 surface parking spaces on a portion of the lands located at 2800 Library Lane and 2641 Regional Road 56, as shown on Appendix "A" attached to Report PED23231, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix "B" to Report PED23231, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan and the Binbrook Village Secondary Plan.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch

YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**5. Applications for an Official Plan Amendment, Zoning By-law Amendment and Revisions to a Draft Plan of Subdivision for Lands Located at 2080 Rymal Road East, Glanbrook (PED23232) (Ward 9) (Item 10.3)**

**(Pauls/Beattie)**

- (a) That Official Plan Amendment Application UHOPA-20-010, by A.J. Clarke and Associates (c/o Stephen Fraser), on behalf of A. DeSantis Developments Ltd. (c/o Anthony DeSantis Jr.), Owner, to redesignate the subject lands from "Institutional" (Public Elementary School), "Low Density Residential 2g", and "Medium Density Residential 2b" to "Low Density Residential 2h" and "Medium Density Residential 2c" to permit the development of 37 street townhouse dwellings, 189 block townhouse dwellings, and a multiple dwelling containing up to 80 units, on lands located at 2080 Rymal Road East, as shown in Appendix "A" attached to Report PED23232, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED23232, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That Zoning By-law Amendment Application ZAC-20-015, by A.J. Clarke and Associates (c/o Stephen Fraser), on behalf of A. DeSantis Developments Ltd. (c/o Anthony DeSantis Jr.), Owner, for a change in zoning from the Residential Multiple "RM3-175" Zone, Modified, the Residential Multiple "RM2-182" Zone, Modified, the Residential "R4-182" Zone, Modified, and the Residential "R4-173b" Zone, Modified, to the Low Density Residential - Small Lot (R1a, 866) Zone, to permit the

development of 37 street townhouse dwellings, on lands located at 2080 Rymal Road East, as shown in Appendix "A" attached to Report PED23232 be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix "C" to Report PED23232, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - (iii) That this amending By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX;
- (c) That Zoning By-law Amendment Application ZAC-20-015, by A.J. Clarke and Associates (c/o Stephen Fraser), on behalf of A. DeSantis Developments Ltd. (c/o Anthony DeSantis Jr.), Owner, for a change in zoning from the Residential Multiple "RM2-182" Zone, Modified to the Residential Multiple "RM3-323" Zone, Modified (Block 1); from the Residential Multiple "RM2-173" Zone, Modified and the Institutional "I-173" Zone, Modified to Residential Multiple "RM4-325" Zone, Modified (Blocks 2 and 3); and from the Residential Multiple "RM2-173" Zone, Modified, the Institutional "I-173" Zone, Modified, the Residential Multiple "RM2-182" Zone, Modified, the Residential "R4-173(B)" Zone, Modified and the Residential "R4-182" Zone, Modified, to the Residential Multiple "RM3-324" Zone, Modified (Blocks 4, 5, 6, 7 and 8), to permit the development of 189 block townhouse dwellings and an 80 unit, multiple dwelling, on lands located at 2080 Rymal Road East, as shown in Appendix "A" attached to Report PED23232, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix "D" to Report PED23232, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);



- (iii) That this amending By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX;
- (d) That Revisions to Approved Draft Plan of Subdivision 25T-200303R, by A.J. Clarke and Associates (c/o Stephen Fraser), on behalf of A. DeSantis Developments Ltd. (c/o Anthony DeSantis Jr.), Owner, on lands located at 2080 Rymal Road East (Glanbrook), as shown on Appendix “A” to Report PED23232, be APPROVED in accordance with By-law No. 07-323 being the delegation of the City of Hamilton’s Assigned Authority Under the *Planning Act* for the Approval of Subdivisions and Condominiums, on the following basis:
  - (i) That this approval apply to the Draft Plan of Subdivision “Crossings Phase 3” 25T-200303R, prepared by A.J. Clarke and Associates Ltd., and certified by Nicholas P. Muth, O.L.S., dated September 07, 2022, consisting of two blocks for 37 street townhouse dwellings (Blocks 1 and 5); two blocks for 189 block townhouse dwellings (Blocks 2 and 4); one block for a multiple dwelling for up to 80 multiple dwelling units (Block 3); and the extension of Bellagio Avenue, as shown on the Draft Plan of Subdivision attached as Appendix “F” to Report PED23232;
  - (ii) That the Owner enter into a Standard form Subdivision agreement as approved by City Council and that the Special Conditions of Draft Plan of Subdivision Approval, 25T-200303R, as shown on Appendix “I” to Report PED23232, be received and endorsed by City Council;
  - (iii) That in accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual there will be no City of Hamilton cost sharing for this subdivision;
  - (iv) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

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

NOT PRESENT – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**6. Application for Approval of a Draft Plan of Subdivision for Lands Located at 250 First Road West, Stoney Creek (PED23233) (Ward 9) (Item 10.4)**

**(Cassar/Beattie)**

- (a) That Draft Plan of Subdivision Application 25T-202302, by UrbanSolutions Planning & Land Development Consultants Inc. (c/o Matt Johnston), on behalf of 256 First Road West Inc. (c/o Nicole Cimadamore), Owner, on lands located at 250 First Road West, as shown on Appendix “A” attached to Report PED23233, be APPROVED in accordance with By-law No. 07-323 being the delegation of the City of Hamilton’s Assigned Authority Under the *Planning Act* for the Approval of Subdivisions and Condominiums, on the following basis:
- (i) That this approval apply to the Draft Plan of Subdivision 25T-202302, certified by Rob. A. McLaren, O.L.S., dated December 22, 2022, consisting of one development block for townhouse dwellings (Block 1), one block for a daylight triangle dedication (Block 2) and one block for a road right of way dedication (Block 3), as shown on Appendix “B” attached to Report PED23233;
  - (ii) That the Owner enter into a Standard Form Subdivision Agreement as approved by City Council and with the Special Conditions as shown on Appendix “C” attached to Report PED23233;
  - (iii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202302, as shown on Appendix “C” attached to Report PED23233, be received and endorsed by City Council;

- (iv) That in accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual there will be no City of Hamilton cost sharing for this subdivision;
- (v) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**7. Applications for an Official Plan Amendment and Zoning By-law Amendment, for Lands Located at 1225 Old Golf Links Road, Ancaster (PED23234) (Ward 12) (Item 10.5)**

**(Cassar/Nann)**

- (a) That Official Plan Amendment Application UHOPA-23-017, by A.J. Clarke and Associates Ltd. (c/o Ryan Ferrari) on behalf of Ancaster Space Station Inc. (c/o Steve Grzenda), Owner, to amend Volume 1, Schedule E-1 -Urban Land Use Designations by redesignating the subject site from the "Open Space" designation to the "Mixed Use – Medium Density" designation, to amend Volume 2, Meadowlands Mixed Use Secondary Plan Map B.2.4-1 by redesignating the subject site from the "General Open Space" designation to the "Mixed Use – Medium Density" designation, and to amend Volume 2, Meadowlands Mixed Use Secondary Plan by adding a Site Specific Policy to permit a maximum five storey warehouse (self-storage) use, for the lands located at 1225 Old

Golf Links Road, as shown on Appendix “A” attached to Report PED23234, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED23234, be adopted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That Zoning By-law Amendment Application ZAC-23-041, by A.J. Clarke and Associates Ltd. (c/o Ryan Ferrari) on behalf of Ancaster Space Station Inc. (c/o Steve Grzenda), Owner, for a change in zoning from the Public “P-242” Zone to the Mixed Use Medium Density (C5, 876, H161) Zone, to permit a maximum five storey (18.8 metre) warehouse (self-storage) with 46 parking spaces, for the lands located at 1225 Old Golf Links Road, as shown on Appendix “A” attached to Report PED23234, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix “C”, **as amended by deleting 2. (b)**, to Report PED23234, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
    - 2. ~~(b) — In addition to Section 10.5.1, a Warehouse (self-storage) shall also be permitted in accordance with Section 10.5.3 and Section c) below.~~
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - (iii) That this amending By-law will comply with the Urban Hamilton Official Plan upon the approval of Urban Hamilton Official Plan Amendment No. XX;
  - (iv) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject site by introducing the Holding symbol ‘H161’ to the proposed Mixed Use Medium Density (C5, 876) Zone:

The Holding Provision ‘H161’ is to be removed conditional upon:

- (1) The Owner submitting a revised Functional Servicing Report analyzing the sanitary sewer system in accordance with the City's standards and demonstrating that there is a residual capacity in the system to support the proposed development and that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City's sanitary sewer system, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (2) The Owner submitting a revised Stormwater Management Report to demonstrate there is a suitable storm outlet for the proposed development, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (3) The Owner submitting a Watermain Hydraulic Analysis, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (4) The Owner entering into an External Works Agreement with the City's Growth Management Division for the design and construction of any required improvements to the municipal infrastructure at the Owner's cost, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (5) The Owner submitting an acoustical report prepared by a qualified Professional Engineer containing the recommended noise control measures to the satisfaction of the Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner;
- (6) The Owner submitting a revised Tree Protection Plan addressing the protection of the trees found within the City's right-of-way including justification for the removal of the identified trees and the applicable Tree Protection Plan review fee payable to the City of Hamilton, to the satisfaction of the Director of Planning and Chief Planner;

- (7) The Owner satisfying all requirements of Hydro One Corporation including lot grading and drainage and entering into a Site Plan Agreement with the City, to the satisfaction of the Director of Planning and Chief Planner.

**Result: Main Motion, as Amended, CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**8. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 65 Guise Street East (Pier 8, Block 16), Hamilton (PED22031(a)) (Ward 2) (Item 10.7)**

**(Francis/McMeekin)**

- (a) That Revised Official Plan Amendment Application UHOPA-22-001, by WEBB Planning Consultants (c/o James Webb) on behalf of the City of Hamilton, Municipal Land Development Office, Owner, to redesignate the subject lands from “Institutional” to “Mixed Use” and to establish a Special Policy Area on Schedule “M-2” in the West Harbour (Setting Sail) Secondary Plan in the former City of Hamilton Official Plan to permit a maximum 45 storey mixed use building, for lands located at 65 Guise Street East (Pier 8, Block 16), as shown on Appendix “A” attached to Report PED22031(a), be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22031(a), be adopted by City Council;
- (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);

- (b) That Revised Zoning By-law Amendment Application ZAC-22-003, by WEBB Planning Consultants (c/o James Webb) on behalf of the City of Hamilton, Municipal Land Development Office, Owner, for a change in zoning from the Community Institutional (I2, 486, H94) Zone to the Waterfront – Mixed Use (WF2, 819, H94, H130) Zone to permit a maximum 45 storey (147.0 metre) mixed use building, for lands located at 65 Guise Street East (Pier 8, Block 16), as shown on Appendix “A” attached to Report PED22031(a), be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C”, **as amended by revising the definition of ‘Sustainable’**, to Report PED22031(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and will comply with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. XX;
  - (iii) That the amending By-law apply the Holding Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H130’ to the proposed Waterfront – Mixed Use (WF2, 819, H94, H130) Zone;

The Holding Provision ‘H’ is to be removed, conditional upon:

- (1) The Owner submitting and receiving conditional site plan approval, which shall implement the Pier 8 Block 16 Urban Design Guidelines, the Pier 8 – Block 16 Sustainability Report, the preferred tower design as determined through the Implementation Process for a Tall Building Proposal – Pier 8, Block 16, and that addresses innovation in the areas of sustainability, quality of life and design excellence, **and to demonstrate net zero carbon, high efficiency building standards, Pier 8 Block 16 will use best efforts to target the CaGBC’s Zero Carbon Building v3 Design Certification**, to the satisfaction of the Director of Planning and Chief Planner.
- (c) That Item 22D respecting a Recommendation Report for proposed Official Plan Amendment and Zoning By-law Amendment applications for 65

Guise Street East (Pier 8, Block 16) be identified as complete and removed from the Planning Committee Outstanding Business List.

**Result: Main Motion, as Amended, CARRIED by a vote of 7 to 5, as follows:**

NO – Ward 1 Councillor M. Wilson  
 NO – Ward 2 Councillor C. Kroetsch  
 NO – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 NO – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 NO – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**9. Industrial/Commercial Proactive Pilot Project (PED23236) (City Wide)  
(Outstanding Business List Item) (Item 11.1)**

**(Hwang/Nann)**

- (a) That Licensing and By-law Services create a one year Industrial/Commercial Proactive By-law Pilot Project to review existing and potential new by-laws and provincial regulation as it relates to impacts on residential areas by industrial and commercial operations, subject to the approval of the staffing and resourcing outlined in Recommendation (b);
- (b) That the Director of Licensing and By-law Services be directed to create the following temporary positions for creation and implementation of the Industrial/Commercial Proactive By-law Pilot Project funded first from the departmental operating budget surplus and second from the Tax Stabilization Reserve (110046) should the final 2024 departmental budget surplus be insufficient;
- (i) One temporary full-time (1.0) Project Manager in the Licensing and By-law Services Division at an estimated total cost of \$144,018 annually;
- (ii) One temporary full-time (1.0) Municipal Law Enforcement officer in the Licensing and By-law Services Division at an estimated total cost of \$110,204 annually;



- (iii) One vehicle for Licensing and By-law Services, at an estimated cost of \$54,525 and \$9,000 for vehicle maintenance costs for investigation and enforcement;
- (c) That staff report back to the Planning Committee (Q3 2025) at the conclusion of the Industrial/Commercial Proactive By-law Pilot Project, with an update on the outcomes and future recommendations;
- (d) That Item 23E respecting the establishment of a proactive team to work with industrial and commercial partners city wide be identified as complete and removed from the Planning Committee's Outstanding Business List.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 NOT PRESENT – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**10. Waterfront Ambassador Program (PED23237) (City Wide) (Outstanding Business List Item) (Item 11.2)**

**(Francis/Hwang)**

- (a) That the Waterfront Ambassador Pilot Program at the Hamilton Beachfront (Ward 5), be approved as a permanent annual program subject to the approval of 2 full-time summer students from the months of May-September, at an estimated annual cost of \$36,658.18 and be referred to the 2024 Tax Supported Operating Budget process;
- (b) That the Waterfront Ambassador Pilot Program be expanded to include education and enforcement rotations at additional trail sites City wide as determined seasonally by the Director or designate of Licensing and By-Law Services, and in consultation with Ward Councillors, be approved as an enhancement to the permanent annual program, subject to the

approval of 2 full-time summer students from the months of May-September at an estimated cost of \$36,658.18, and be referred to the 2024 Tax Supported Operating Budget process;

- (c) That subject to the approval of recommendation (a) and (b) the one-time cost of one vehicle \$54,525 plus operating costs \$6,250 to transport bicycles to the trail location and hold equipment/educational materials, be approved, for Licensing and By-Law Services;
- (d) That the matter respecting Item 1, Planning Committee Report 23-007, from the Council meeting on May 10, 2023, be identified as complete and removed from the Outstanding Business List.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 NOT PRESENT – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**11. Provincial Announcement Impacting Provincial Decisions on Municipal Official Plans and Official Plan Amendments (PED23252) (City Wide) (Item 11.3)**

**(M. Wilson/Cassar)**

- (a) That Council reconfirm its position on Urban Hamilton Official Plan Amendment 167 and Rural Hamilton Official Plan Amendment 34, as adopted by Council on June 8, 2022;
- (b) That Planning and Economic Development Department staff on behalf of the Mayor and Council, be directed to:
  - (i) Submit Report PED23252, including the comments and changes in Appendices “A” and “B” and the development application

- information in Appendix “C” attached to Report PED23252 to the Ministry of Municipal Affairs and Housing;
- (ii) Work with the Ministry of Municipal Affairs and Housing to retain modifications that are conformity-related and are supported by Council, as identified in the comments contained in Appendices “A” and “B” attached to Report PED23252;
  - (iii) Request that the Ministry of Municipal Affairs and Housing include clear language in the implementing legislation that would bar legal proceedings and remedies being brought against municipalities in relation to the reversal of the modifications by the Minister of Official Plans and Official Plan amendments;
  - (iv) Request that the Ministry of Municipal Affairs and Housing provide clear legislative language with respect to transitional matters in the anticipated legislation to reverse the modifications by the Minister of Official Plans and Official Plan amendments and adopt the recommendations of the City;
  - (v) Request that the Ministry of Municipal Affairs and Housing remove the requirement to phase in Development Charge Rates (Section 5(8) of the *Development Charges Act, 1997*, as amended) for the initial service specific Development Charge By-laws which utilize infrastructure master plans developed based on the reversal of Provincial modifications to the urban boundary;
- (c) That Planning and Economic Development Department staff and Finance staff be directed to:
- (i) Prepare detailed cost estimates of additional costs incurred by the City as a result of the Provincial modifications to Urban Hamilton Official Plan Amendment 167 and Rural Hamilton Official Plan Amendment 34 made on November 4, 2022, and any additional costs incurred since the Provincial announcement on October 23, 2023;
  - (ii) Engage in discussions with the Province to recover costs incurred;
- (d) That the Effective Date and Transition Policies outlined in Report PED23252 be submitted as comments to the Province for inclusion in its anticipated legislation respecting the Provincial announcement.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 NOT PRESENT – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**12. Bill 136, Greenbelt Statute Law Amendment Act, 2023 - Reinstatement of Greenbelt Lands (PED23244) (City Wide) (Item 11.4)**

**(Cassar/A. Wilson)**

- (a) That the proposed reinstatement of all 15 sites removed from the Greenbelt Area by the Government of Ontario, be supported;
- (b) That Council adopt the submissions and recommendations, as attached in Appendix "A" to Report PED23244, regarding *Bill 136, Greenbelt Statute Law Amendment Act, 2023*;
- (c) That the Acting Director of Planning and Chief Planner and the City Solicitor be authorized to make the submissions and recommendations on *Bill 136, Greenbelt Statute Law Amendment Act, 2023*, as attached in Appendix "A" to Report PED23244.

**Result: Motion CARRIED by a vote of 9 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 NOT PRESENT – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar

YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

**13. Ontario Regulatory Registry Posting 23-MOI004, Proposed *GO Transit Station Funding Act, 2023* (PED23245) (City Wide) (Item 11.5)**

**(Cassar/Kroetsch)**

- (a) That staff be directed to advise the Province that the cost of designing and constructing Government of Ontario GO Stations continue to be funded by the Province;
- (b) That Council endorse the submissions and recommendations as attached in Appendix “A” to Report PED23245 regarding the proposed Bill 134, *Affordable Homes and Good Jobs Act, 2023*;
- (c) That the Acting Director of Planning and Chief Planner be authorized and directed to confirm the submissions and recommendations made to the Province resulting from Council’s review and decisions on Report PED23245;
- (d) That staff report back to Council should Bill 131, proposed *GO Transit Station Funding Act, 2023* be proclaimed on any required process, fee and By-law changes necessary to implement the proposed changes.

**Result: Motion CARRIED by a vote of 9 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
NOT PRESENT – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
NOT PRESENT – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

**14. Bill 134, Proposed *Affordable Homes and Good Jobs Act, 2023* (PED23256) (City Wide) (Item 11.6)**

**(Cassar/Hwang)**

- (a) That Council endorse the submissions and recommendations attached in Appendix "A" to Report PED23256 regarding the proposed Bill 134, *Affordable Homes and Good Jobs Act, 2023*;
- (b) That the Acting Director of Planning and Chief Planner be authorized and directed to confirm the submissions and recommendations made to the Province resulting from Council's review and decisions on Report PED23256;
- (c) That staff report back to Council should Bill 134, *Affordable Homes and Good Jobs Act, 2023* be proclaimed on any required process, fee and By-law changes necessary to implement the proposed changes.

**Result: Motion CARRIED by a vote of 9 to 1, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 NO – Ward 15 Councillor T. McMeekin

**15. Appeal to the Ontario Land Tribunal for lands located at 509 Southcote Road, Ancaster for Lack of Decision on Official Plan Amendment Application (UHOPA-23-010) and Zoning By-law Amendment Application (ZAC-23-025) (LS23030) (Ward 12) (Item 15.2)**

**(Cassar/Kroetsch)**

- (a) That the directions to staff (recommendations (a) to (d)) in Report LS23030, be approved;
- (b) That the directions to staff (recommendations (a) to (d)) in Report LS23030, be released to the public, following approval by Council; and
- (c) That the balance of Report LS23030 remain confidential.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

- 16. Appeal to the Ontario Land Tribunal (OLT) for Lands located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterfront Crescent, Stoney Creek, for Lack of Decision on Official Plan Amendment Application (UHOPA-17-005) Zoning By-law Amendment Application (ZAC-17-015) and Draft Plan of Subdivision Application (25T-201703) (LS23008(a)) (Ward 10) (Added Item 15.3)**

**(Beattie/Kroetsch)**

- (a) That the directions to staff (recommendations (a) to (c)) in Report LS23008(a), be approved;
- (b) That the directions to staff (recommendations (a) to (c)) Report LS23008(a) and Appendices “A” and “B” to Report LS23008(a), remain confidential until made public as the City’s position before the Ontario Land Tribunal; and,
- (c) That the balance of Report LS23008(a) remain confidential.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson

YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

- 17. Appeal to the Ontario Land Tribunal (OLT) for lands located at 544 and 550 Rymal Road East, Hamilton, for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-20-024) and Zoning By-law Amendment Application (ZAC-20-037) and Draft Plan of Subdivision Application (25T-202006) (LS23031) (Ward 7) (Added Item 15.4)**

**(Pauls/Hwang)**

- (a) That the directions to staff (recommendations (a) to (e)) in Report LS23031, be approved;
- (b) That the directions to staff (recommendations (a) to (e)) in Report LS23032, be released to the public, following approval by Council; and
- (c) That the balance of Report LS23031 remain confidential.

**Result: Motion CARRIED by a vote of 9 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 NOT PRESENT – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**FOR INFORMATION:**

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

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

**4. APPROVAL OF MINUTES OF PREVIOUS MEETING**



4.1 October 31, 2023 Minutes

Corrected to show Councillor T. Jackson was present at the October 31st meeting.

**5. COMMUNICATIONS**

5.1 Correspondence respecting No Boundary Expansion (Item 11.3) – Added Items (xxxv) to (dclxxxviii).

Recommendation: Be received and referred to the consideration of Item 11.3

5.2 Correspondence from Aird & Berlis LLP respecting Bill 136, *Greenbelt Statute Law Amendment Act, 2023 - Reinstatement of Greenbelt Lands (PED23244) (City Wide)* (Item 11.4)

Recommendations: Be received and referred to the consideration of Item 11.4

**6. DELEGATION REQUESTS**

6.2 Delegations respecting Urban Boundary Expansion (Item 11.3) (For today's meeting)

- (i) Nancy Smith, Elfrida Community Builders Group (in-person)
- (ii) John Corbett (in-person)
- (iii) Lee Parsons (in-person) (requested to follow John Corbett)
- (iv) Phil Pothen (virtually)
- (v) Marcus Gagliardi (virtual)
- (vi) Lilly Noble (pre-recorded)

6.3 Steven Zakem respecting Bill 163 Greenbelt Statute Law Amendment (Item 11.4) (For today's Meeting)

**10. PUBLIC HEARINGS**

10.1 Applications for Urban Official Plan Amendment UHOPA-21-001, Zoning By-law Amendment ZAC-21-001 and Draft Plan of Subdivision for Lands Located at 3169 Fletcher Road, Glanbrook (PED23210) (Ward 11)

- (a) Added Written Submissions:

- (i) Cachet Homes
  - (b) Staff Presentation
- 10.2 Application for a Zoning By-law Amendment for lands Located at 2800 Library Lane and 2641 Regional Road 56, Glanbrook (PED23231) (Ward 11)
  - (a) Added Written Submissions:
    - (ii) Eva Basso
    - (iii) Graham Cubitt, Hamilton is Home
  - (b) Added Registered Delegations:
    - (i) Melvin Switzer, Township of Glanbrook Non-Profit Housing Corporation (in-person)
    - (ii) Lisa Burrows, Township of Glanbrook Non-Profit Housing Corporation (in-person)
  - (c) Staff Presentation
- 10.6 Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13)
  - (a) Added Written Submissions:
    - (i) Mike Stone, Hamilton Conservation Authority
  - (b) Staff Presentation
- 10.7 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 65 Guise Street East (Pier 8, Block 16), Hamilton (PED22031(a)) (Ward 2)
  - (a) Added Registered Delegations:
    - (ii) Jeff Glen (in-person)
    - (iii) Shwaan Hutton (in-person)
    - (iv) Peter Walberg, Habitat for Humanity Hamilton (in-person)
    - (v) Scott Patterson (in-person)

(vi) Stephen Park, North End Neighbourhood Association  
(in-person)

(b) Added Written Submissions

- (vii) Norah Navin
- (viii) Sean Ferris, Habitat for Humanity Hamilton
- (ix) Shwaan Hutton
- (x) Jeremy Freiburger
- (xi) Beatrice Jeffrey
- (xii) Peter Mokrycke
- (xiii) John Mokrycke
- (xiv) Barbara Wright
- (xv) Herman Turkstra
- (xvi) Martinus Geleyense
- (xvii) Bryan Ritskes, Harbour West Neighbourhood
- (xviii) Elizabeth A. Poynter
- (xix) Marie Valentine
- (xx) Arty Hawkins

(c) Staff Presentation

**ADDED:**

Staff Presentations for Items 10.3, 10.4, 10.5 and 11.3.

**13. NOTICES OF MOTION**

13.1 Taxi Industry Review Request

13.2 Annual Inactive Plate Rate

**15. PRIVATE AND CONFIDENTIAL**

15.3 Appeal to the Ontario Land Tribunal (OLT) for Lands located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterfront Crescent, Stoney Creek, for Lack of Decision on Official Plan Amendment Application (UHOPA-17-005) Zoning By-law Amendment Application (ZAC-17-015) and Draft Plan of Subdivision Application (25T-201703) (LS23008(a)) (Ward 10)

15.4 Appeal to the Ontario Land Tribunal (OLT) for lands located at 544 and 550 Rymal Road East, Hamilton, for Lack of Decision on Urban

Hamilton Official Plan Amendment Application (UHOPA-20-024) and Zoning By-law Amendment Application (ZAC-20-037) and Draft Plan of Subdivision Application (25T-202006) (LS23031) (Ward 7)

**(Cassar/Tadeson)**

That the agenda for the November 14, 2023 Planning Committee meeting be approved, as amended.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 NOT PRESENT – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

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

Councillor Hwang declared a disqualifying interest with Item 10.6, Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13), as her business partner is the applicant.

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

**(i) October 31, 2023 (Items 4.1)**

**(M. Wilson/Beattie)**

That the Minutes of the October 31, 2023 meetings be approved, as presented.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang

YES – Ward 5 Councillor M. Francis  
 NOT PRESENT – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

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

**(i) Various Communications (Items 5.1 and Added Item 5.2)**

**(Hwang/M. Wilson)**

That the following communication items be received and referred to the consideration of the appropriate agenda item:

**(i) Correspondence respecting No Boundary Expansion (Item 11.3) (Item 5.1)**

- (i) Lily Noble
- (ii) Cathie Botelho
- (iii) Gerten Basom
- (iv) Martha Howatt
- (v) Sarah Jenner
- (vi) Jax Weafer
- (vii) Jessica Prevost
- (viii) Jane Hill
- (ix) Zoe Green
- (x) Kate Fox
- (xi) Jessica Claus
- (xii) Sherly Jaminn
- (xiii) Sydney Davis
- (xiv) Hilary Lyttle
- (xv) Jacqueline McDermid
- (xvi) Graeme Lavrence
- (xvii) Michelle Araujo
- (xviii) Mack DaSilva
- (xix) Morgan Bullock
- (xx) Tina Brajic
- (xxi) John Kennedy
- (xxii) Terry Basom
- (xxiii) Laura Katz

- (xxiv) Megan Saunders
- (xxv) Lara Stewart
- (xxvi) Henriette Jansen
- (xxvii) Brian Werner
- (xxviii) Megan Allore
- (xxix) Charlane Surerus
- (xxx) Louissette Lanteigne
- (xxxi) Isabel Douglas
- (xxxii) Jason Hickey
- (xxxiii) Karen Brock
- (xxxiv) Roger Rose
- (xxxv) Javier Sinisterra
- (xxxvi) Debra Dorpmans
- (xxxvii) Judy Anderson
- (xxxviii) Jonathan Haskins
- (xxxix) Connie Kidd
- (xl) Lynn Prince
- (xli) Anne Ge
- (xlii) Janet Fraser
- (xliii) Darlene Gilbert
- (xliv) Greg Schultz
- (xlv) Julie Hillwood
- (xlvi) Sophie Cohen
- (xlvii) Janet Barclay
- (xlviii) Thea Pagliacci
- (xlix) Kathleen Bruno
- (l) Neil Gloster
- (li) Yvonne Sutherland-Case
- (lii) Elizabeth Knight
- (liii) Howard Cole
- (liv) Nancy Campbell
- (lv) Susan Wortman
- (lvi) Julie Hillwood
- (lvii) Joe Tersigni
- (lviii) Brigitte Huard
- (lix) Jon Davey
- (lx) Candice McMurdo
- (lxi) Rita Bailey
- (lxii) Steve McHugh
- (lxiii) Lucia Iannantuono
- (lxiv) Carole-Ann Durran
- (lxv) Richard Johnson
- (lxvi) MaryEllen Bailey

- (lxvii) David Hitchcock
- (lxviii) Robert Coxe
- (lxix) Sue Miller
- (lxx) Tom Baker
- (lxxi) Karena Osborne
- (lxxii) Danielle Steenwyk-Rowaan
- (lxxiii) Michael Friesen
- (lxxiv) Harlee Mackenzie
- (lxxv) Jean Jacobs
- (lxxvi) Caroline Moran
- (lxxvii) Jenna Versteeg
- (lxxviii) Kara Guatto
- (lxxix) Karen Dick
- (lxxx) Clayton Chamberlain
- (lxxxii) Evan Ubene
- (lxxxiii) Jill Tonini
- (lxxxiv) Leo Dragtoe
- (lxxxv) Jen Garfield
- (lxxxvi) Michelle Tom
- (lxxxvii) Seb Meisner
- (lxxxviii) Marjorie Campbell
- (lxxxix) Mary Amba
- (lxxxix) Jeff Schrieber
- (xc) Harjot Atwal
- (xci) Andrea Madsen
- (xcii) Scott Dobbin
- (xciii) Jen Baker
- (xciv) A.L. Munro
- (xcv) Emily Choy
- (xcvi) Allie Blumas
- (xcvii) Andrea MacAulay
- (xcviii) Margot Olivieri
- (xcix) Ela Grubasz
- (c) Leanne Irwin
- (ci) Maryanne Lemieux
- (cii) Madison VandenAkker
- (ciii) Tobi Olsen
- (civ) Devon Mackinnon
- (cv) Deborah Devine
- (cvi) Nina Monteiro
- (cvii) Lynn Fraser
- (cviii) Laura Cortiula
- (cix) Jennifer Spinner

- (cx) Andra Zommers
- (cxi) Linda McDougall
- (cxii) Geoffrey Honey
- (cxiii) Nick Mueller
- (cxiv) Brigitte Evering
- (cxv) Kaitlin Lewis
- (cxvi) Carrie Gaynik
- (cxvii) Julia Hamill
- (cxviii) Rayna Slobodian
- (cxix) Thomas Pepper
- (cxx) Lisa Schumph
- (cxxi) Ian Borsuk
- (cxxii) Zach Weston
- (cxxiii) Lisa Cole
- (cxxiv) April Moore
- (cxxv) Jennifer Davis
- (cxxvi) Doreen Stermann
- (cxxvii) Maria Tersigni Wishart
- (cxxviii) Jed Burrows
- (cxxix) Vanessa Scali
- (cxxx) Stephanie McAulay
- (cxxxii) Paul Copcutt
- (cxxxii) Jessica MacDonald
- (cxxxiii) Aly Livingston
- (cxxxiv) Lindsey Hamilton
- (cxxxv) Laura Sergeant
- (cxxxvi) Maggie Martineau
- (cxxxvii) Sandra Downard
- (cxxxix) Lisa Guilfoyle
- (cxl) Ruby Collins
- (cxli) Kirsten McCarthy
- (cxlii) Natalie Castellino
- (cxliii) SG Hurlburt
- (cxliv) Dp Crawford
- (cxlv) Cynthia West
- (cxlvi) Beverley Wagar
- (cxlvii) Nicole Daley
- (cxlviii) Kathy Bond
- (cxliv) Alison Forde
- (cl) Brendan Murphy
- (cli) Jennifer Pate
- (clii) Lauren Sladic
- (cliii) Jane Glatt



- (cliv) Eleanor Hayward
- (clv) Akira Ourique
- (clvi) Julie McCann
- (clvii) Amos Crawley
- (clviii) Victoria Riddell
- (clix) Lori Sirianni
- (clx) Carolyn Ascroft
- (clxi) Michelle Stokes
- (clxii) Kate Mills
- (clxiii) Sharon Bray
- (clxiv) Malia Vatikiotis-Bateson
- (clxv) Karoline Lawson
- (clxvi) Alyssa Campbell
- (clxvii) Amanda Ayer
- (clxviii) Tom Shea
- (clxix) Chris Harris
- (clxx) Daniel Leavey
- (clxxi) Allyn Walsh
- (clxxii) Bob Berberick
- (clxxiii) Fiona Parascandalo
- (clxxiv) Catherine Craig
- (clxxv) Elizabeth Wren
- (clxxvi) Christine Fandrich
- (clxxvii) Susan Jagoe-Biggley
- (clxxviii) Rebecca Ripco
- (clxxix) Pauline Prows
- (clxxx) Kevin Hutson
- (clxxxi) John David Moffatt
- (clxxxii) Mona Nahmias
- (clxxxiii) Joy Dubbeld
- (clxxxiv) Jason Hindle
- (clxxxv) Leanne Grieves
- (clxxxvi) Liz Pasenow
- (clxxxvii) Laurie Bennie
- (clxxxviii) Carol Moffatt
- (clxxxix) Luke Carlisle
- (cxc) Rosemarie Morris
- (cxci) Penny Gill
- (cxcii) Robin Millen
- (cxciii) Mary-Jane Davidson
- (cxciv) Deborah Peace
- (cxcv) Olivia Turnbull
- (cxcvi) Kathryn Cowley

(cxcvii) Lara deBeye  
(cxcviii) Daniel Gardiner  
(cxcix) John O'Connor  
(cc) Alice Phillips  
(cci) Leslie Brown  
(ccii) Jack Freiburger  
(cciii) Elizabeth Robertson  
(cciv) Ann Truyens  
(ccv) Chris Taylor  
(ccvi) Helen Tomalik  
(ccvii) Martha Schwenger  
(ccviii) Michelle Piano  
(ccix) Dieter Klaus  
(ccx) Mary Love  
(ccxi) Deborah Read  
(ccxii) Kelly Pearce  
(ccxiii) Michael Williamson  
(ccxiv) Donna McNabb  
(ccxv) Gail Moffatt  
(ccxvi) Laurie Galer  
(ccxvii) Kathryn Bennett  
(ccxviii) Kevin Intini  
(ccxix) Mike Sterling  
(ccxx) Robin Cameron  
(ccxxi) Jonathan C Noble  
(ccxxii) Kathleen Mifflin  
(ccxxiii) Gillian Fletcher  
(ccxxiv) Janice Brown  
(ccxxv) Gord Dent  
(ccxxvi) Helen Brenner  
(ccxxvii) Rachel Weverink  
(ccxxviii) Wendy Leigh-Bell  
(ccxxix) Pat Johnston  
(ccxxx) Jeff Davies  
(ccxxxi) Alan Bradbury  
(ccxxxii) Terri Bocz  
(ccxxxiii) Andrea Kamermans  
(ccxxxiv) Diane Herechuk  
(ccxxxv) Zita Bersenas-Cers  
(ccxxxvi) Mary Hudecki  
(ccxxxvii) John Edwards  
(ccxxxviii) Barbara Ormond  
(ccxxxix) Ruth Harris

(ccxi) Erin Ronningen  
(ccxli) Melodie Pritchard  
(ccxlii) Collyn McArthur  
(ccxliii) Robert Brosius  
(ccxliv) Joanne Lewis  
(ccxlv) Christine Hanley  
(ccxvi) R.A. Frager  
(ccxvii) Neal Bonnor  
(ccxviii) Robert Coxe (2)  
(ccxlix) Sandra Pagett  
(ccl) Tanis Macarthur  
(ccli) Jennifer Waring  
(cclii) Dennis Norsworthy  
(ccliii) Colin Marshall  
(ccliv) Rick Tait  
(cclv) Aren Hansen  
(cclvi) Reva Quam  
(cclvii) Barry Borsellino  
(cclviii) Patrick Speissegger  
(cclix) Patty Haardeng  
(cclx) Teresa Gregorio  
(cclxi) Maggie Fischbuch  
(cclxii) Cynthia Meyer  
(cclxiii) Jean Wilson  
(cclxiv) Mike Fox  
(cclxv) Kayla Francoeur  
(cclxvi) Therese Taylor  
(cclxvii) Hannah Wisdom  
(cclxviii) Malcolm Clark  
(cclxix) Rick Johnson (2)  
(cclxx) Christopher Eckart  
(cclxxi) Eileen O'Shea  
(cclxxii) Denise Giroux  
(cclxxiii) Janet E Long  
(cclxxiv) Amanda Lakhanpal  
(cclxxv) Dave Stupple  
(cclxxvi) Sara Weedon-MacDonald  
(cclxxvii) Jeff Glen  
(cclxxviii) Linda Taylor  
(cclxxix) Rashid Ahmed  
(cclxxx) Kathie Clark  
(cclxxxi) Daniel Myerscough  
(cclxxxii) William Hill

(cclxxxiii) Gary Dennis  
(cclxxxiv) Brenda Ginn  
(cclxxxv) Tom Flemming  
(cclxxxvi) Peggy-Sue Paterson  
(cclxxxvii) Matthew Carroll  
(cclxxxviii) Adeola Egbeyemi  
(cclxxxix) Ruth Van Horne  
(ccxc) MaryAnn Thompson  
(ccxci) Sean Burak  
(ccxcii) Rocco Maccaroni  
(ccxciii) Sterling Holmes  
(ccxciv) Joseph Santi  
(ccxcv) Deborrah Sherman  
(ccxcvi) Michel Proulx  
(ccxcvii) Kelsey Worboys  
(ccxcviii) Jan Willem Jansen  
(ccxcix) David Williams  
(ccc) Susanne Prue  
(ccci) Subhas Ganguli  
(cccii) Catharine Ozols  
(ccciii) Rose Janson  
(ccciv) John McBrien  
(cccv) Peggy McKeil  
(cccvi) Joanne Edmiston  
(cccvii) Andrea Borbely  
(cccviii) Debbie Foley  
(cccix) Klaas Walma  
(cccx) Jason Swenor  
(cccxi) Hart Jansson  
(cccxi) Ken and Carol Theal  
(cccxiii) Eleanor Kokotich  
(cccxiv) Mike Colyer  
(cccxv) Norma Young  
(cccxvi) Sari Ackerman  
(cccxvii) Marilyn Hunt  
(cccxviii) Selena Visser  
(cccix) Amber Morrison  
(cccxx) Jaime-Lee McIntosh  
(cccxxi) Fort Roberto  
(cccxxii) Miriam Sager  
(cccxxiii) Bernard Stout  
(cccxxiv) Diana Rubia  
(cccxxv) Khursheed Ahmed

(cccxxvi) Ann Gabrielle Walker  
(cccxxvii) Robertson Young  
(cccxxviii) Jo-Anne Ballarano  
(cccxxix) Donna Rutherford  
(cccxxx) Wendy Moreton  
(cccxxxi) Joe Berkopec  
(cccxxxii) Marie Zilik  
(cccxxxiii) Lisa Johnston  
(cccxxxiv) Stella Glover  
(cccxxxv) Verena Walter  
(cccxxxvi) Mary Cordeiro  
(cccxxxvii) Hal Morgan  
(cccxxxviii) Kerry McCrory  
(cccxxxix) Karen Grover  
(cccxl) Kathleen Livingston  
(cccxli) Meagan Crowley  
(cccxlii) Sapphire Singh  
(cccxliii) Lena Montecalvo  
(cccxliv) Paul Phillips  
(cccxlv) Brad Sutton  
(cccxlv) Harvey Feit  
(cccxlvi) Nathaniel Addison  
(cccxlvi) Chloe Thomas  
(cccxlvi) John and Karen DeLottinville  
(cccli) Pierre Arnold  
(cccli) Irene Laurie  
(ccclii) Lloyd Hobbs  
(cccliii) Heather Gregersen  
(cccliv) Mark Forler  
(ccclv) Joan Hobbs  
(ccclvi) Allan Harrison  
(ccclvii) Patricia Poole  
(ccclviii) Jean Mackay  
(ccclix) Scott Houston  
(ccclx) Mark Shessel  
(ccclxi) Rhonds Chilvers  
(ccclxii) Barbara Patterson  
(ccclxiii) Theresa Berry  
(ccclxiv) Suzanne Cooper  
(ccclxv) Willow Supryka  
(ccclxvi) Roman Talkowski  
(ccclxvii) Rae Bates  
(ccclxviii) Kelly Bortolin

(ccclxix) Laurie Peel  
(ccclxx) Jill Graham  
(ccclxxi) Anne Dwyer  
(ccclxxii) Janice Brookstone  
(ccclxxiii) Lois Corey  
(ccclxxiv) Heather Yoell  
(ccclxxv) Elizabeth Spratt  
(ccclxxvi) Patricia Sturgess  
(ccclxxvii) Bianca Metz  
(ccclxxviii) Edward Ellis  
(ccclxxix) Helen Todd  
(ccclxxx) Jamie Hammond  
(ccclxxxi) Mary Davis  
(ccclxxxii) Colleen Kurtz  
(ccclxxxiii) Dave Somerville  
(ccclxxxiv) Bob & Maggie Carr  
(ccclxxxv) Miriam Reed  
(ccclxxxvi) Andie Rexdiemer  
(ccclxxxvii) Kelly Stewart  
(ccclxxxviii) Sarah Farnworth  
(ccclxxxix) Elaine Atkins  
(ccxc) Morgan Roblin  
(ccxci) Bonnie Rich  
(ccxcii) Gary Harrower  
(ccxciii) Elizabeth Estall  
(ccxciv) Bruce Allen  
(ccxcv) Sarah Van Berkel  
(ccxcvi) Tim Webb  
(ccxcvii) Elise de Stein  
(ccxcviii) David Mivasair  
(ccxcix) Linda Chenoweth  
(cd) Adam Watson  
(cdi) Allan Sharp  
(cdii) Nancy Wylie  
(cdiii) Donna Phillips  
(cdiv) Nonni Iler  
(cdv) Carole Peters  
(cdvi) Kevin Macleod  
(cdvii) Janice Currie  
(cdviii) Hanna Schayer  
(cdix) Karen Bouwman  
(cdx) Nancy Chater  
(cdxi) Denise Kozak

(cdxii) Annette Gibbons  
(cdxiii) Kay Chornook  
(cdxiv) Mariam Hanhan  
(cdxv) Margaret Tremblay  
(cdxvi) Doris Ellah-Shields  
(cdxvii) Craig Beattie  
(cdxviii) Cheryl Amy  
(cdxix) Ben Weingartner  
(cdxx) George Thomson  
(cdxxi) Emilia Bodi  
(cdxxii) Natalie Easson  
(cdxxiii) Valerie Cousens  
(cdxxiv) Mary Ann Frerotte  
(cdxxv) Emily Burtnik  
(cdxxvi) Michelle Crandall  
(cdxxvii) Margaret Juraj  
(cdxxviii) Graham Flint  
(cdxxix) William Mehlenbacher  
(cdxxx) Mary Nagy  
(cdxxxi) Anthony Stillo  
(cdxxxii) Dylan Mainprize  
(cdxxxiii) Tammy Heidbuurt  
(cdxxxiv) Elizabeth Eagan  
(cdxxxv) John Radoman  
(cdxxxvi) Sheila Murray  
(cdxxxvii) Jenna Owsianik  
(cdxxxviii) Tammy Grimard  
(cdxxxix) Marie Covert  
(cdxl) Robert Barlow  
(cdxli) Rita Bailey (2)  
(cdxlii) Wayne Poole  
(cdxliii) John Mckillop  
(cdxliv) Shawn Kerwin  
(cdxlv) Arlene Whittle  
(cdxlvii) Terri Shewfelt  
(cdxlviii) Jim Dimitriadis  
(cdxlviii) Ross Ian  
(cdxlix) Robin Scott  
(cdl) Lee Moore  
(cdli) Martha Novoselac  
(cdlii) Claire Davis  
(cdliii) Joan Barbeau  
(cdliv) Andy Coltman

(cdlv) Cindy Carey  
(cdlvi) Susan Button  
(cdlvii) Marilyn Jay  
(cdlviii) Graeme Luke  
(cdlix) Karina Kane  
(cdlx) Brian Doyle  
(cdlxi) David Tremblay  
(cdlxii) Heather Vaughan  
(cdlxiii) Karen Norton  
(cdlxiv) John Forbes  
(cdlxv) Lana Kosterewa  
(cdlxvi) Brian Costie  
(cdlxvii) Deborah Boyd  
(cdlxviii) Judy Snider  
(cdlxix) Mary Wanda Carroll  
(cdlxx) Sue Bramberger  
(cdlxxi) Joanne Powell  
(cdlxxii) Gregory Dexter  
(cdlxxiii) Chris Newhouse  
(cdlxxiv) Ingrid Hengemuhle  
(cdlxxv) Carol Eydt  
(cdlxxvi) Lucie Gingras  
(cdlxxvii) Michelle Stark  
(cdlxxviii) Maryann Kovljenic  
(cdlxxix) Josh Mitchell  
(cdlxxx) Elaine Basaran  
(cdlxxxi) Claudia Espindola  
(cdlxxxii) Lee Moore  
(cdlxxxiii) Jennifer Rennie  
(cdlxxxiv) Adrian Duyzer  
(cdlxxxv) Katy Yelovich  
(cdlxxxvi) Patrice Palmer  
(cdlxxxvii) Cheryl Camillo  
(cdlxxxviii) Diane Stonkus  
(cdlxxxix) Peter Marinacci  
(cdxc) Giselle Chin  
(cdxci) Lukas Wesolowski  
(cdxcii) Angela Kratke  
(cdxciii) Aaron Hartley  
(cdxciv) Barbara Mead  
(cdxcv) Ronald Merpaw  
(cdxcvi) Jamie Habkirk  
(cdxcvii) Merilyn McCallum



(cdxcviii) Jane Embleton  
(cdxcix) Bob Tyrrell  
(d) Elizabeth Seymour  
(di) Nik Bennett  
(dii) Kelly Stevenson  
(diii) Lyn Folkes  
(div) Zane Kozak  
(dv) Shamchuk Diane  
(dvi) Shirley Kossowski  
(dvii) Lena Sutton  
(dviii) Dorothy McIntosh  
(dix) Gord & Angie McNulty  
(dx) Jewell Gordon  
(dxi) Sue Carson  
(dxii) Sharon Soltesz Marley  
(dxiii) Maria Draak  
(dxiv) Harriet Woodside  
(dxv) Hali Tsui  
(dxvi) Richelle Reepe  
(dxvii) Anne Washington  
(dxviii) Sam Linde  
(dxix) Susann Easson  
(dxx) Elysia Dywan  
(dxxi) Marija Da Costa  
(dxxii) Mary Anne Tangney  
(dxxiii) Janice Shepherd  
(dxxiv) Damir Sebesta  
(dxxv) Elizabeth Koblyk  
(dxxvi) Kristen Aspevig  
(dxxvii) Melanie Olds  
(dxxviii) Morag Johnston  
(dxxix) Katie West  
(dxxx) Maxine Moayyedi  
(dxxxii) Lindsay Knight-Pfiffer  
(dxxxiii) Nichole Daniels  
(dxxxiv) Shawn Gabrysch  
(dxxxv) Dorothy Schrader  
(dxxxvi) Joseph Lombardi  
(dxxxvii) David Johnson  
(dxxxviii) Stan Nowak  
(dxxxix) Nicole Doro  
(dxxxix) Michelle Chin  
(dxl) Dianne Millar

- (dxli) Helena Dalrymple
- (dxlii) Katie Zhong
- (dxliii) Rose Janson and Family
- (dxliv) Brian Doyle
- (dxlv) David Carson
- (dxlvi) Margaret Vdovich
- (dxlvii) Patricia Paladin
- (dxlviii) Mary Anne Peters
- (dxlix) Makenzie Banaitis
- (dl) Lee Walton
- (dli) Nanette Morton
- (dlii) Jim White
- (dliii) Frank Perez
- (dliv) Janet Sabatinos
- (dlv) Andrea Macri
- (dlvi) Kevin Grenier
- (dlvii) Chris Carretta
- (dlviii) Wendy Andrewi
- (dlix) Mark Strutt
- (dlx) Jean Packer
- (dlxi) Sher Englert
- (dlxii) Helen Harris
- (dlxiii) Irene Schieberl
- (dlxiv) Mary LeClair
- (dlxv) Daniel Bortolin
- (dlxvi) Luigia DeDivitiis
- (dlxvii) Ruth Southwell
- (dlxviii) Karijn de Jong
- (dlxix) Naomi Taylor
- (dlxx) Penny Dobson
- (dlxxi) Peter Ivey
- (dlxxii) Cynthia Morris
- (dlxxiii) Caroline Chatterton
- (dlxxiv) Carolin Bowie
- (dlxxv) Jennifer Elms Martin
- (dlxxvi) Joan Berger
- (dlxxvii) Patricia Bond
- (dlxxviii) Lyn Jukes
- (dlxxix) Terri Fletcher
- (dlxxx) Julie Berube
- (dlxxxi) Jordan Lanngridge
- (dlxxxii) Jane Cavasin
- (dlxxxiii) Robin Evans

(dlxxxiv) Fushia Featherstone-Mikic  
(dlxxxv) Danica Evering  
(dlxxxvi) Laura Heaney  
(dlxxxvii) Jane Cudmore  
(dlxxxviii) Vicki Evans  
(dlxxxix) Sue Prescott  
(dxc) Patricia and Dennis Baker  
(dxcii) David Rowe  
(dxcii) Patrick Hehl  
(dxciii) Helen Hollywood  
(dxciv) Mary Muirhead  
(dxcv) Nathan Sager  
(dxcvi) Erin Goodwin  
(dxcvii) Colleen Walmsley  
(dxcviii) Lorraine Burrige  
(dxcix) Peter Cassidy  
(dc) Robert Iszkula  
(dci) Annette Paiement  
(dcii) Annie Arnott  
(dciii) Wendy Folkes  
(dciv) Tina Di Clemente  
(dcv) Mike Ranger  
(dcvi) Colleen Robertshaw  
(dcvii) Meghan Davies  
(dcviii) Richard Talbot  
(dcix) Lynn Nielsen  
(dcx) Cheryl French  
(dcxi) Jack Rosenfeld  
(dcxii) Rosemary Horsewood  
(dcxiii) Wanda Lane  
(dcxiv) Jack Hewson  
(dcxv) Kathryn Deiter  
(dcxvi) Tory Carter  
(dcxvii) Sherry Bowman  
(dcxviii) John Parcher  
(dcxix) Elisabeth Streun  
(dcxx) Debbie Martin  
(dcxxi) Joy White  
(dcxxii) Phil Rose  
(dcxxiii) Brian Kowalewicz  
(dcxxiv) Alyssa Zilney  
(dcxxv) Melissa Gallina  
(dcxxvi) Ada Talbot

(dcxxvii) Duncan McKeeve  
(dcxxviii) Margarita De Antunano  
(dcxxix) Anne Young  
(dcxxx) Alana Didur  
(dcxxxi) Michelle Blake  
(dcxxxii) Alan Horachek  
(dcxxxiii) Reuven Dukas  
(dcxxxiv) Dennis and Patricia Baker (2)  
(dcxxxv) WeirFoulds LLP  
(dcxxxvi) Corbett Land Strategies  
(dcxxxvii) The Monarch Park Group Inc  
(dcxxxviii) Elizabeth Gray  
(dcxxxix) Lauren Dukas  
(dxcl) Kim Wright  
(dxcli) Sid Sudiagal  
(dxclii) John Benjamin  
(dxcliii) Karen Broe  
(dxcliv) Kate Berry  
(dxclv) Neeraj Lakhanpal  
(dxclvi) Guy Bisson  
(dxclvii) Robin Zee  
(dxclviii) Sheila O'Neal  
(dxclix) Denis Gervais  
(dcl) Ingrid Kern  
(dcli) Crystal Helms  
(dclii) Karen LeBlanc  
(dcliii) Brian Ramirez  
(dcliv) John Hungate  
(dclv) Marilyn Daniels  
(dclvi) Darla Robinson  
(dclvii) Karen Tupper  
(dclviii) Evelyn Auchinvole  
(dclix) Jennifer Payne  
(dclx) Ameena Khaja Mir  
(dclxi) Rebecca Carney  
(dclxii) Jacqueline McFadden  
(dclxiii) Colin Marshall  
(dclxiv) Jacqueline Williams  
(dclxv) Karen Denny-Parsons  
(dclxvi) Gerrie loveys  
(dclxvii) Steve Smits  
(dclxviii) Emma Rush  
(dclxix) Ann Byrne

(dclxx) BarBara Przeklasa  
 (dclxxi) Erin Shacklette  
 (dclxxii) Ron Joice  
 (dclxxiii) Emily Gaul  
 (dclxxiv) Sheila O'Neal  
 (dclxxv) Ekaterina Manukyan  
 (dclxxvi) Kate Pearson  
 (dclxxvii) Jeysa Bronkhorst  
 (dclxxviii) Shania Ramharrack-Maharaj  
 (dclxxix) Hamilton Naturalists' Club  
 (dclxxx) Julia McGregor  
 (dclxxx1) Aird Berlis LLP  
 (dclxxx2) Cachet Homes  
 (dclxxx3) Margo May Taylor  
 (dclxxx4) Jake Szamosi  
 (dclxxx5) Turkstra Mazza Associates  
 (dclxxx6) West End Home Builders' Association  
 (dclxxx7) Warren Caldwell  
 (dclxxx8) Rachelle Cormier

Recommendation: Be received and referred to the consideration of Item 11.3.

(ii) **Correspondence from Aird & Berlis LLP respecting Bill 136, *Greenbelt Statute Law Amendment Act, 2023 – Reinstatement of Greenbelt Lands (Item 11.4) (Added Item 5.2)***

Recommendation: Be received and referred to the consideration of Item 11.4.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 NOT PRESENT – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson

YES – Ward 15 Councillor T. McMeekin

**(e) DELEGATION REQUESTS (Item 6)**

**(i) Various Delegation Requests (Item 6.1 and Added Items 6.2 and 6.3)**

**(McMeekin/Nann)**

That the following Delegation Requests Item 6.1, Added Items 6.2 and 6.3 be approved for the meetings requested:

- (i) Lloyd Ferguson respecting Reinstating Inactive License Fee for Inactive Taxi Plates (For the December 5th meeting) (Item 6.1)
- (ii) Delegation Requests respecting Urban Boundary Expansion (Item 11.3) (For today's meeting) (Added Item 6.2)
  - (i) Nancy Smith, Elfrida Community Builders Group (in-person)
  - (ii) John Corbett (in-person)
  - (iii) Lee Parsons (in-person)
  - (iv) Phil Pothen (virtually)
  - (v) Marcus Gagliardi (virtual)
  - (vi) Lilly Noble (pre-recorded)
- (iii) Steven Zakem respecting Bill 163, Greenbelt Statute Law Amendment (For today's meeting) (Added Item 6.3)

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 NOT PRESENT – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(f) DELEGATIONS (Item 7)**

**(i) Delegations respecting Urban Boundary Expansion (Item 11.3)  
(Added Item 7.1)**

The following delegations addressed the Committee respecting Item 11.3:

- (i) Nancy Smith, Elfrida Community Builders Group (in-person)
- (ii) John Corbett (in-person)
- (iii) Lee Parsons (in-person)
- (iv) Phil Pothen (virtually)
- (v) Marcus Gagliardi (virtual)
- (vi) Lilly Noble (pre-recorded)

**(McMeekin/Pauls)**

That the following delegations, be received:

- (i) Nancy Smith, Elfrida Community Builders Group (in-person)  
(Elfrida Community Builders Group includes: Paletta International / The Alinea Group; Tribute Communities; Cardi Construction; Dino DiSabatino; Effort Group; Melrose; Losani Homes; Valery Homes; Country Homes; Marz Homes; Frisina Group; Multi-Area Dev.; DeSozio Homes; NewHorizon; Cedar City; DeSantis Developments)
- (ii) John Corbett (in-person)  
(Twenty Road West Landowners Group includes: Spallacci Homes; Micor Developments; LIV Developments; Parente Group Holdings; 20 Road Developments Inc.; Cachet Homes; Huron Creed; Really Living; Starward Homes)
- (iii) Lee Parsons (in-person)
- (iv) Phil Pothen (virtually)
- (v) Marcus Gagliardi (virtual)
- (vi) Lilly Noble (pre-recorded)

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson

YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(ii) Steve Zakem respecting Bill 163, Greenbelt Statute Law Amendment (Item 11.4) (Added Item 7.2)**

Steve Zakem addressed the Committee virtually respecting Bill 163, Greenbelt Statute Law Amendment.

**(Beattie/Tadeson)**

That the Delegation from Steve Zakem respecting Bill 163, Greenbelt Statute Law Amendment, be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(g) PUBLIC HEARINGS (Item 10)**

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

In accordance with the provisions of the *Planning Act*, Chair J.P. Danko advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Development applications before the Committee today, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Land Tribunal, and the person or public body may not be added as a party to the hearing of an



appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

- (i) **Applications for Urban Official Plan Amendment UHOPA-21-001, Zoning By-law Amendment ZAC-21-001 and Draft Plan of Subdivision for Lands Located at 3169 Fletcher Road, Glanbrook (PED23210) (Ward 11) (Item 10.1)**

Charlie Toman, Program Lead, addressed the Committee with the aid of a PowerPoint presentation.

**(Tadeson/Beattie)**

That the staff presentation be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

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

**(Tadeson/Cassar)**

That the presentation from Ryan Ferrari with AJ Clarke & Associates, be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis

YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

Chair Danko called three times for public delegations.

The following delegation came forward and addressed the Committee:

(i) Andrew Eldebs – In support, with some concerns

**(Hwang/Tadeson)**

(i) That the following public submissions regarding this matter were received and considered by the Committee:

(a) Added Written Submission:

(i) Cachet Homes – In support, with some concerns

(b) Added Delegation:

(i) Andrew Eldebs, Cachet Homes – In support, with some concerns

(ii) That the public meeting be closed.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 NOT PRESENT – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 3.

**(ii) Application for a Zoning By-law Amendment for lands Located at 2800 Library Lane and 2641 Regional Road 56, Glanbrook (PED23231) (Ward 11) (Item 10.2)**

James Van Rooi, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

**(Tadeson/Nann)**

That the staff presentation be received.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 NOT PRESENT – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

Andrew Varna with SHS Consulting, was in attendance, and indicated support for the staff report.

**(Tadeson/Nann)**

That the presentation from Andrew Varna with SHS Consulting, be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls

YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**Registered Delegations:**

The following Delegations addressed the Committee:

- (i) Melvin Switzer (Item 10.2(a)) (in person) – In support
- (ii) Lisa Burrows (Item 10.2(a)) (in person) – In support

Chair Danko called three times for any additional public delegations and no one came forward.

**(Tadeson/Nann)**

- (a) That the following public submissions regarding this matter were received and considered by the Committee; and,

Written Submissions (Item 10.2 (a)):

- (i) Todd and Lara Barlow - Opposed
- (ii) Eva Basso – Opposed
- (iii) Graham Cubitt, Hamilton is Home – In support

Registered Delegations (Item 10.2 (b)):

- (i) Melvin Switzer, Township of Glanbrook Non-Profit Housing Corporation – In support
- (i) Lisa Burrows, Township of Glanbrook Non-Profit Housing Corporation – In support

- (b) That the public meeting be closed.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang

NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 4.

- (iii) Applications for an Official Plan Amendment, Zoning By-law Amendment and Revisions to a Draft Plan of Subdivision for Lands Located at 2080 Rymal Road East, Glanbrook (PED23232) (Ward 9) (Item 10.3)**

**(Kroetsch/Beattie)**

That the staff presentation be waived.

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

NOT PRESENT – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

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

**(Pauls/Kroetsch)**

That the presentation from Stephen Fraser with AJ Clarke & Associates, be received.

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

NOT PRESENT – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

Chair Danko called three times for public delegations and no one came forward.

**(Pauls/Hwang)**

- (a) That the following public submissions (Item 10.3(a)) regarding this matter were received and considered by the Committee; and,
- (i) Megan Runciman – Opposed
- (b) That the public meeting be closed.

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

NOT PRESENT – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 5.

- (iv) **Application for Approval of a Draft Plan of Subdivision for Lands Located at 250 First Road West, Stoney Creek (PED23233) (Ward 9) (Item 10.4)**

**(Hwang/Beattie)**

That the staff presentation be waived.

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

NOT PRESENT – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

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

**(Beattie/Hwang)**

That the presentation from Matt Johnston with Urban Solutions, be received.

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

NOT PRESENT – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

Chair Danko called three times for public delegations and no one came forward.

**(Cassar/Hwang)**

- (a) That the public submissions (in the staff report) regarding this matter were received and considered by the Committee; and,
- (b) That the public meeting be closed.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 6.

- (v) Applications for an Official Plan Amendment and Zoning By-law Amendment, for Lands Located at 1225 Old Golf Links Road, Ancaster (PED23234) (Ward 12) (Item 10.5)**

**(Cassar/Kroetsch)**

That the staff presentation be waived.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko



YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

Ryan Ferrari with A.J. Clarkes and Associates Ltd. was in attendance and indicated support for the staff report.

**(Cassar/Hwang)**

That the presentation from Ryan Ferrari with A.J. Clarkes and Associates Ltd., be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

Chair Danko called three times for public delegations and no one came forward.

**(Cassar/Hwang)**

That there were no public submissions received regarding this matter.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko

- YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

**(Cassar/Nann)**

- (a) That Official Plan Amendment Application UHOPA-23-017, by A.J. Clarke and Associates Ltd. (c/o Ryan Ferrari) on behalf of Ancaster Space Station Inc. (c/o Steve Grzenda), Owner, to amend Volume 1, Schedule E-1 -Urban Land Use Designations by redesignating the subject site from the “Open Space” designation to the “Mixed Use – Medium Density” designation, to amend Volume 2, Meadowlands Mixed Use Secondary Plan Map B.2.4-1 by redesignating the subject site from the “General Open Space” designation to the “Mixed Use – Medium Density” designation, and to amend Volume 2, Meadowlands Mixed Use Secondary Plan by adding a Site Specific Policy to permit a maximum five storey warehouse (self-storage) use, for the lands located at 1225 Old Golf Links Road, as shown on Appendix “A” attached to Report PED23234, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED23234, be adopted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That Zoning By-law Amendment Application ZAC-23-041, by A.J. Clarke and Associates Ltd. (c/o Ryan Ferrari) on behalf of Ancaster Space Station Inc. (c/o Steve Grzenda), Owner, for a change in zoning from the Public “P-242” Zone to the Mixed Use Medium Density (C5, 876, H161) Zone, to permit a maximum five storey (18.8 metre) warehouse (self-storage) with 46 parking spaces, for the lands located at 1225 Old Golf Links Road, as shown on Appendix “A” attached to Report PED23234, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix "C" to Report PED23234, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (iii) That this amending By-law will comply with the Urban Hamilton Official Plan upon the approval of Urban Hamilton Official Plan Amendment No. XX;
- (iv) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject site by introducing the Holding symbol 'H161' to the proposed Mixed Use Medium Density (C5, 876) Zone:

The Holding Provision 'H161' is to be removed conditional upon:

- (1) The Owner submitting a revised Functional Servicing Report analyzing the sanitary sewer system in accordance with the City's standards and demonstrating that there is a residual capacity in the system to support the proposed development and that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City's sanitary sewer system, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (2) The Owner submitting a revised Stormwater Management Report to demonstrate there is a suitable storm outlet for the proposed development, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (3) The Owner submitting a Watermain Hydraulic Analysis, to the satisfaction of the Director of Growth Management and Chief Development Engineer;

- (4) The Owner entering into an External Works Agreement with the City's Growth Management Division for the design and construction of any required improvements to the municipal infrastructure at the Owner's cost, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (5) The Owner submitting an acoustical report prepared by a qualified Professional Engineer containing the recommended noise control measures to the satisfaction of the Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner;
- (6) The Owner submitting a revised Tree Protection Plan addressing the protection of the trees found within the City's right-of-way including justification for the removal of the identified trees and the applicable Tree Protection Plan review fee payable to the City of Hamilton, to the satisfaction of the Director of Planning and Chief Planner;
- (7) The Owner satisfying all requirements of Hydro One Corporation including lot grading and drainage and entering into a Site Plan Agreement with the City, to the satisfaction of the Director of Planning and Chief Planner.

**(Cassar/Danko)**

That Appendix "C" to Report PED23234 be **amended** by deleting subsection 2 (b) and renumbering the balance as follows:

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

"876. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map Nos. 1178 and 1179 of Schedule "A" – Zoning Maps and described as 1225 Old Golf Links Road, Ancaster, the following special provisions shall apply:

(a) Notwithstanding Section 4.23 e) as it relates to the setback from the Lincoln Alexander Parkway, a minimum setback of 1.0 metre from the Lincoln Alexander Parkway right-of-way, excluding access ramps.

~~(b) In addition to Section 10.5.1, a Warehouse (self-storage) shall also be permitted in accordance with Section 10.5.3 and Section c) below.~~

~~(c)~~ (b) Notwithstanding Section 10.5.3 b), 10.5.3 d) ii), and 10.5.3 g) vii) 1. the following special provisions shall apply:

**Result: Amendment CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 7.

**(Hwang/Pauls)**

That the Committee Recess from 12:40 p.m. to 1:10 p.m.

**Result: Motion CARRIED by a vote of 11 to 1, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NO – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie

YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(vi) Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) (Item 10.6)**

Shaival Gajjar, Development Planner II, addressed the Committee with the aid of a PowerPoint presentation.

**(A. Wilson/Cassar)**

That the staff presentation be received.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 NOT PRESENT – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

James Webb with Webb Consulting was in attendance and indicated support for the staff report.

**(A. Wilson/Pauls)**

That the presentation from James Webb with Webb Consulting, be received.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 NOT PRESENT – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis

YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

Chair Danko called three times for public delegations and no one came forward.

**(A. Wilson/Cassar)**

That the following public submissions regarding this matter were received and considered:

- (i) Mike Stone, Hamilton Conservation Authority (10.6 (a)) – Concerns

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 CONFLICT – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(A. Wilson/McMeekin)**

- (a) That Report PED23164 respecting Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (Ward 13) be DEFERRED to the December 5, 2023 Planning Committee meeting; and
- (b) That the public meeting respecting Report PED23164, Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (Ward 13), remain open.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 CONFLICT – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(vii) Applications for an Official Plan Amendment and Zoning By-law  
 Amendment for Lands Located at 65 Guise Street East (Pier 8, Block  
 16), Hamilton (PED22031(a)) (Ward 2) (Item 10.7)**

Mark Kehler, Senior Planner - Sustainable Communities, addressed the Committee with the aid of a PowerPoint presentation.

**(Kroetsch/Hwang)**

That the staff presentation be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

James Webb with WEBB Planning Consultants. was in attendance and indicated support for the staff report.

**(McMeekin/Pauls)**



That the time limit for the Agent, James Webb with WEBB Planning Consultants, be extended to twenty (20) minutes.

**Result: Motion CARRIED by a vote of 8 to 4, as follows:**

NO – Ward 1 Councillor M. Wilson  
 NO – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 NO – Ward 4 Councillor T. Hwang  
 NO – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(Kroetsch/Hwang)**

That the presentation from James Webb with WEBB Planning Consultants be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**Registered Delegations:**

The following Delegation (10.7 (a)) was withdrawn:

(v) Scott Patterson

The following Delegations (10.7 (a)) addressed the Committee:

- (i) Bill Curran (in person) – In Support
- (ii) Jeff Glen (in person) – Opposed
- (iii) Shwaan Hutton (in person) – In Support
- (iv) Peter Walberg, Habitat for Humanity Hamilton – In Support
- (vi) Stephen Park, North End Neighbourhood Association – Concerns / Opposed

Chair Danko called three times for any additional public delegations and the following Delegations came forward:

- (vii) Norah Navin – Concerns / Opposed
- (viii) Mary Love – Concerns

**(Kroetsch/Hwang)**

- (a) That the following public submissions (Item 10.7(a)) regarding this matter were received and considered by the Committee; and,

Written Submissions:

- (i) Nancy Hill - Opposed
- (ii) John Roy - Opposed
- (iii) Bill Curran – In Support
- (iv) Daniel Coleman - Opposed
- (v) Mike and Kim Slattery - Opposed
- (vi) Tim Potocic – In Support
- (vii) Norah Navin - Opposed
- (viii) Sean Ferris, Habitat for Humanity Hamilton – In Support
- (ix) Shwaan Hutton – In Support
- (x) Jeremy Freiburger – In Support
- (xi) Beatrice Jeffrey - Opposed
- (xii) Peter Mokrycke – In Support
- (xiii) John Mokrycke – In Support
- (xiv) Barbara Wright - Opposed
- (xv) Herman Turkstra – In Support
- (xvi) Martinus Geleyse – In Support
- (xvii) Bryan Ritskes, Harbour West Neighbourhood – In Support
- (xviii) Elizabeth A. Poynter – In Support
- (xix) Marie Valentine - Concerns
- (xx) Arty Hawkins – In Support

Delegations:

- (i) Bill Curran (in person) – In Support
- (ii) Jeff Glen (in person) – Opposed
- (iii) Shwaan Hutton (in person) – In Support
- (iv) Peter Walberg, Habitat for Humanity Hamilton – In Support
- (vi) Stephen Park, North End Neighbourhood Association – Concerns / Opposed

- (b) That the public meeting be closed.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

- YES – Ward 1 Councillor M. Wilson
- YES – Ward 2 Councillor C. Kroetsch
- YES – Ward 3 Councillor N. Nann
- YES – Ward 4 Councillor T. Hwang
- YES – Ward 5 Councillor M. Francis
- YES – Ward 7 Councillor E. Pauls
- YES – Ward 8 Councillor J.P. Danko
- YES – Ward 10 Councillor J. Beattie
- YES – Ward 11 Councillor M. Tadeson
- YES – Ward 12 Councillor C. Cassar
- YES – Ward 13 Councillor A. Wilson
- YES – Ward 15 Councillor T. McMeekin

**(Francis/McMeekin)**

- (a) That Revised Official Plan Amendment Application UHOPA-22-001, by WEBB Planning Consultants (c/o James Webb) on behalf of the City of Hamilton, Municipal Land Development Office, Owner, to redesignate the subject lands from “Institutional” to “Mixed Use” and to establish a Special Policy Area on Schedule “M-2” in the West Harbour (Setting Sail) Secondary Plan in the former City of Hamilton Official Plan to permit a maximum 45 storey mixed use building, for lands located at 65 Guise Street East (Pier 8, Block 16), as shown on Appendix “A” attached to Report PED22031(a), be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22031(a), be adopted by City Council;

- (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That Revised Zoning By-law Amendment Application ZAC-22-003, by WEBB Planning Consultants (c/o James Webb) on behalf of the City of Hamilton, Municipal Land Development Office, Owner, for a change in zoning from the Community Institutional (I2, 486, H94) Zone to the Waterfront – Mixed Use (WF2, 819, H94, H130) Zone to permit a maximum 45 storey (147.0 metre) mixed use building, for lands located at 65 Guise Street East (Pier 8, Block 16), as shown on Appendix “A” attached to Report PED22031(a), be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C”, to Report PED22031(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and will comply with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. XX;
  - (iii) That the amending By-law apply the Holding Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H130’ to the proposed Waterfront – Mixed Use (WF2, 819, H94, H130) Zone;

The Holding Provision ‘H’ is to be removed, conditional upon:

- (1) The Owner submitting and receiving conditional site plan approval, which shall implement the Pier 8 Block 16 Urban Design Guidelines, the Pier 8 – Block 16 Sustainability Report, the preferred tower design as determined through the Implementation Process for a Tall Building Proposal – Pier 8, Block 16, and that addresses innovation in the areas of sustainability, quality of life and design excellence, to the

satisfaction of the Director of Planning and Chief Planner.

- (c) That Item 22D respecting a Recommendation Report for proposed Official Plan Amendment and Zoning By-law Amendment applications for 65 Guise Street East (Pier 8, Block 16) be identified as complete and removed from the Planning Committee Outstanding Business List.

**(Danko/Cassar)**

That Sub-section (b) (iii) (1) and Appendix "C" (Sub-section 4 (i)) to Report PED22031(a) be **amended** to revise the definition of 'Sustainable' to include net zero carbon, high efficiency building standards.

Report Recommendations:

- (b) (iii) (1) The Owner submitting and receiving conditional site plan approval, which shall implement the Pier 8 Block 16 Urban Design Guidelines, the Pier 8 – Block 16 Sustainability Report, the preferred tower design as determined through the Implementation Process for a Tall Building Proposal – Pier 8, Block 16, and that addresses innovation in the areas of sustainability, quality of life and design excellence, **and to demonstrate net zero carbon, high efficiency building standards, Pier 8 Block 16 will use best efforts to target the CaGBC's Zero Carbon Building v3 Design Certification**, to the satisfaction of the Director of Planning and Chief Planner.

Appendix "C":

4. (i) The Owner submitting and receiving conditional site plan approval, which shall implement the Pier 8 Block 16 Urban Design Guidelines, the Pier 8 – Block 16 Sustainability Report, and the preferred tower design as determined through the Implementation Process for a Tall Building Proposal – Pier 8, Block 16, that addresses innovation in the areas of sustainability, quality of life and design excellence, **and to demonstrate net zero carbon, high efficiency building standards, Pier 8 Block 16 will use best efforts to target the CaGBC's Zero Carbon Building v3 Design Certification**, to the satisfaction of the Director of Planning and Chief Planner.

**Result: Amendment CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 8.

**(Hwang/Tadeson)**

That Committee Recess from 4:20 p.m. to 4:30 p.m.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(h) DISCUSSION ITEMS (Item 11)**

**(i) Provincial Announcement Impacting Provincial Decisions on  
 Municipal Official Plans and Official Plan Amendments (PED23252)  
 (City Wide) (Item 11.3)**

Charlie Toman, Program Lead – Policy Planning and Municipal  
 Comprehensive Review, and Melanie Pham, Program Lead – Sustainable

Communities, addressed the Committee with the aid of a PowerPoint presentation.

**(Nann/Beattie)**

That the staff presentation, be received.

**Result: Motion CARRIED by a vote of 9 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 NOT PRESENT – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 NOT PRESENT – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 11.

**(Hwang/M. Wilson)**

That the Planning Committee meeting of November 14, 2023, be extended past the 5:30 p.m. curfew, until 7:00 p.m.

**Result: Motion CARRIED by a vote of 7 to 2, as follows:**

YES – Ward 1 Councillor M. Wilson  
 NO – Ward 2 Councillor C. Kroetsch  
 NO – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(i) NOTICES OF MOTION (Item 14)**

Councillor Francis was not in attendance at the time he was to present the following Notices of Motion:

- 13.1 Taxi Industry Review Request
- 13.2 Annual Inactive Plate Rate

**(j) PRIVATE & CONFIDENTIAL (Item 15)**

**(i) Closed Session Minutes – October 31, 2023 (Item 15.1)**

**(Hwang/Pauls)**

- (a) That the Closed Session Minutes dated October 31, 2023, be approved as presented; and,
- (b) That the Closed Session Minutes dated October 31, 2023, remain confidential.

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

- YES – Ward 1 Councillor M. Wilson
- YES – Ward 2 Councillor C. Kroetsch
- NOT PRESENT – Ward 3 Councillor N. Nann
- YES – Ward 4 Councillor T. Hwang
- NOT PRESENT – Ward 5 Councillor M. Francis
- YES – Ward 7 Councillor E. Pauls
- YES – Ward 8 Councillor J.P. Danko
- YES – Ward 10 Councillor J. Beattie
- YES – Ward 11 Councillor M. Tadeson
- YES – Ward 12 Councillor C. Cassar
- YES – Ward 13 Councillor A. Wilson
- YES – Ward 15 Councillor T. McMeekin

The Committee determined they did not need to go into Closed Session for the following items, therefore, the matters were addressed in Open Session, as follows:

- (ii) Appeal to the Ontario Land Tribunal for lands located at 509 Southcote Road, Ancaster for Lack of Decision on Official Plan Amendment Application (UHOPA-23-010) and Zoning By-law Amendment Application (ZAC-23-025) (LS23030) (Ward 12) (Item 15.2)**



For disposition of this matter, refer to Item 15.

- (iii) **Appeal to the Ontario Land Tribunal (OLT) for Lands located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterfront Crescent, Stoney Creek, for Lack of Decision on Official Plan Amendment Application (UHOPA-17-005) Zoning By-law Amendment Application (ZAC-17-015) and Draft Plan of Subdivision Application (25T-201703) (LS23008(a)) (Ward 10) (Added Item 15.3)**

For disposition of this matter, refer to Item 16.

- (iv) **Appeal to the Ontario Land Tribunal (OLT) for lands located at 544 and 550 Rymal Road East, Hamilton, for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-20-024) and Zoning By-law Amendment Application (ZAC-20-037) and Draft Plan of Subdivision Application (25T-202006) (LS23031) (Ward 7) (Added Item 15.4)**

For disposition of this matter, refer to Item 17.

**(j) ADJOURNMENT (Item 16)**

**(Pauls/Tadeson)**

That there being no further business, the Planning Committee be adjourned at 6:23 p.m.

**Result: Motion CARRIED by a vote of 9 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 NOT PRESENT – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

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Councillor J.P Danko, Chair  
Planning Committee

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Lisa Kelsey  
Legislative Coordinator



# INFORMATION REPORT

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	December 5, 2023
<b>SUBJECT/REPORT NO:</b>	Active Official Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23254) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Shannah Evans (905) 546-2424 Ext. 1928
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

## COUNCIL DIRECTION

In accordance with the June 16, 2015, Planning Committee direction, this Report provides a status of all active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision Applications relative to the statutory timeframe provisions of the *Planning Act* for non-decision appeals. In addition, this Report also includes a list and status of all Applications appealed to the Ontario Land Tribunal for non-decision.

## INFORMATION

Staff were directed to report back to Planning Committee with a reporting tool that seeks to monitor Applications where the applicable statutory timeframes apply. This reporting tool would be used to track the status of all active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications.

For the purposes of this Report, the status of active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision Applications have been divided, relative to the statutory timeframe provisions of the *Planning Act*, that were in effect pursuant to statutory timeframes prescribed in *Bill 73*, *Bill 139* and *Bill 108*.

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

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Active Official Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23254) (City Wide) - Page 2 of 3**

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**Applications Deemed Complete Prior to Royal Assent of Bill 139 (December 12, 2017)**

Attached as Appendix “A” to Report PED23254 is a table outlining the active Applications received prior to December 12, 2017, sorted by Ward, from oldest Application to newest. As of November 15, 2023, there were:

- 3 active Official Plan Amendment Applications, all of which were submitted after July 1, 2016, and therefore subject to the 90 day extension to the statutory timeframe from 180 days to 270 days;
- 6 active Zoning By-law Amendment Applications; and,
- 3 active Plan of Subdivision Applications.

Within 60 to 90 days of November 15, 2023, all six development proposals have passed the applicable 120, 180 and 270 day statutory timeframes.

**Applications Deemed Complete After Royal Assent of Bill 139 (December 12, 2017)**

Attached as Appendix “B” to Report PED23254 is a table outlining the active applications received after December 12, 2017, but before Royal Assent of Bill 108, sorted by Ward, from oldest Application to newest. As of November 15, 2023, there were:

- 3 active Official Plan Amendment Applications, all of which are subject to the 90 day extension to the statutory timeframe from 210 days to 300 days;
- 6 active Zoning By-law Amendment Applications; and,
- 3 active Plan of Subdivision Applications.

Within 60 to 90 days of November 15, 2023, all six development proposals have passed the applicable 150, 180 or 300 day statutory timeframes.

**Applications Deemed Complete After Royal Assent of Bill 108 (September 3, 2019)**

Attached as Appendix “C” to Report PED23254 is a table outlining the active Applications received after September 3, 2019, and subject to the new statutory timeframes, sorted by Ward, from oldest Application to newest. As of November 15, 2023, there were:

- 23 active Official Plan Amendment Applications;
- 42 active Zoning By-law Amendment Applications; and,
- 19 active Plan of Subdivision Applications.

**SUBJECT: Active Official Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23254) (City Wide) - Page 3 of 3**

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As of November 15, 2023, one development proposal is approaching the 90 or 120 day statutory timeframe and will be eligible for appeal. Forty-seven (47) development proposals have passed the 90 or 120 day statutory timeframe.

**Planning Division Active Files**

Combined to reflect property addresses, there are 60 active development proposals. Eighteen (18) proposals are 2023 files (30%), 17 proposals are 2022 files (28%), 25 proposals are pre-2022 files (42%).

Staff continue to work with the AMANDA Implementation Team to add enhancements to the database that will allow for the creation of more detailed reporting. As a result, future tables will include a qualitative analysis of the status of active Applications. Furthermore, the long-term goal of the Planning Division is to make this information available on an interactive map accessed through the City of Hamilton website, and an e-mail system will provide notification of when a new Application is received.

**Current Non-Decision Appeals to the Ontario Land Tribunal**

At the February 2, 2021, Planning Committee meeting, Planning Committee requested that information be reported relating to development applications that have been appealed for non-decision to the Ontario Land Tribunal. Attached as Appendix "D" to Report PED23254 is a table outlining development applications, along with the applicant/agent, that have been appealed for non-decision to the Ontario Land Tribunal. There are currently 24 active appeals for non-decision of which one is a rezoning application, one is a subdivision application, five are a combined official plan and rezoning application, and 17 are combined official plan, rezoning and subdivision applications. Third party appeals are not included in this information as Council has made a decision to approve the application.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED23254 - List of Active Development Applications (prior to December 12, 2017)

Appendix "B" to Report PED23254 - List of Active Development Applications (after December 12, 2017, but before September 3, 2019)

Appendix "C" to Report PED23254 - List of Active Development Applications (after September 3, 2019)

Appendix "D" to Report PED23254 - *Planning Act* Applications Currently Appealed for Non-Decision to the Ontario Land Tribunal

SE:sd

**Active Development Applications  
Deemed Complete Prior to December 12, 2017  
(Effective November 15, 2023)**

File	Address	Date Received	Date <sup>1</sup> Deemed Incomplete	Date <sup>1</sup> Deemed Complete	120 day cut off (Rezoning)	180 day cut off (Plan of Sub)	270 day cut off OPA*	Applicant/ Agent	Days Since Received and/or Deemed Complete as of November 15, 2023
<b>Ward 7</b>									
UHOPA-17-31 ZAC-17-071	1625 - 1655 Upper James Street, Hamilton	27-Sep-17	n/a	02-Oct-17	25-Jan-18	n/a	24-Jun-18	MB1 Development Consulting Inc.	2297
<b>Ward 9</b>									
UHOPA-16-26 ZAC-16-065 25T-201611	478 and 490 First Road West, Stoney Creek	12-Oct-16	n/a	02-Nov-16	09-Feb-17	10-Apr-17	09-Jul-17	T. Johns Consultants Inc.	2617
UHOPA-16-27 ZAC-16-066 25T-201612	464 First Road West, Stoney Creek	12-Oct-16	n/a	02-Nov-16	09-Feb-17	n/a	09-Jul-17	T. Johns Consultants Inc.	2617
<b>Ward 10</b>									
ZAC-15-040	9 Glencrest Avenue, Stoney Creek	02-Jul-15	n/a	17-Jul-15	30-Oct-15	n/a	n/a	WEBB Planning Consultants Inc.	3085

**Active Development Applications  
Deemed Complete Prior to December 12, 2017  
(Effective November 15, 2023)**

File	Address	Date Received	Date <sup>1</sup> Deemed Incomplete	Date <sup>1</sup> Deemed Complete	120 day cut off (Rezoning)	180 day cut off (Plan of Sub)	270 day cut off OPA*	Applicant/ Agent	Days Since Received and/or Deemed Complete as of October 18, 2023
<b>Ward 12</b>									
ZAC-16-006	285, 293 Fiddlers Green Road, Ancaster	23-Dec-15	n/a	06-Jan-16	21-Apr-16	20-Jun-16	n/a	Liam Doherty	2911
ZAC-17-062 25T-201709	45 Secinaro Avenue, Ancaster	28-Jul-17	n/a	01-Aug-17	25-Nov-17	n/a	n/a	T. Johns Consultants Inc.	2328

### Active Development Applications

1. When an Application is deemed incomplete, the new deemed complete date is the day the new materials are submitted. In these situations, the 120, 180 and 270 day timeframe commences on the date the new materials were submitted. In all other situations, the 120, 180 and 270 day timeframe commences the day the Application was received.
- \* In accordance with Section 17 (40.1) of the *Planning Act*, the City of Hamilton has extended the approval period of Official Plan Amendment Applications by 90 days from 180 days to 270 days. However, Applicants can terminate the 90 day extension if written notice to the Municipality is received prior to the expiration of the 180 statutory timeframe.

**Active Development Applications  
Deemed Complete After December 12, 2017  
(Effective November 15, 2023)**

File	Address	Date Received	Date <sup>1</sup> Deemed Incomplete	Date <sup>1</sup> Deemed Complete	150 day cut off (Rezoning)	180 day cut off (Plan of Sub.)	300 day cut off (OPA)	Applicant/Agent	Days since Received and/or Deemed Complete as of November 15, 2023
<b>Ward 2</b>									
ZAR-19-008	124 Walnut Street South, Hamilton	21-Dec-18	n/a	18-Jan-19	20-May-19	n/a	n/a	IBI Group	1817
<b>Ward 11</b>									
UHOPA-18-016* ZAC-18-040 25T-2018007	9511 Twenty Road West, Glanbrook	10-Jul-18	n/a	15-Aug-18	n/a	06-Jan-19	06-May-19*	Corbett Land Strategies	1981
<b>Ward 12</b>									
ZAC-18-048 25T-2018009	387, 397, 405 and 409 Hamilton Drive, Ancaster	09-Sep-18	n/a	28-Sep-18	06-Feb-19	08-Mar-19	n/a	Fothergill Planning & Development Inc.	1920
UHOPA-18-022* ZAC-18-056 25T-2018010	26 Southcote Road, Ancaster	05-Nov-18	n/a	15-Nov-18	n/a	04-May-19	01-Sep-19*	A.J. Clarke & Associates Ltd.	1863
<b>Ward 14</b>									
ZAC-19-011	1193 Old Mohawk Road, Ancaster	12-Dec-18	n/a	10-Jan-19	11-May-19	n/a	n/a	Urban Solutions Planning & Land Development	1826



**Active Development Applications  
Deemed Complete After December 12, 2017  
(Effective November 15, 2023)**

File	Address	Date Received	Date <sup>1</sup> Deemed Incomplete	Date <sup>1</sup> Deemed Complete	150 day cut off (Rezoning)	180 day cut off (Plan of Sub.)	300 day cut off (OPA)	Applicant/Agent	Days since Received and/or Deemed Complete as of November 15, 2023
<b>Ward 15</b>									
RHOPA-18-020* ZAC-18-045	173 and 177 Dundas Street East, Flamborough	23-Jul-18	n/a	15-Aug-18	n/a	n/a	19-May-19*	MHBC Planning Limited	1962

#### Active Development Applications

1. When an Application is deemed incomplete, the new deemed complete date is the day the new materials are submitted. In these situations, the 150, 180, 210 and 300 day timeframe commences on the date the new materials were submitted. In all other situations, the 150, 180, 210 and 300 day timeframe commences the day the Application was received.
- \* In accordance with Section 34 (11.0.0.0.1), of the *Planning Act*, the approval period for Zoning By-law Amendment Applications submitted concurrently with an Official Plan Amendment, will be extended to 210 days.
- \* In accordance with Section 17 (40.1) of the *Planning Act*, the City of Hamilton has extended the approval period of Official Plan Amendment Applications by 90 days from 210 days to 300 days. However, Applicants can terminate the 90 day extension if written notice to the Municipality is received prior to the expiration of the 210 statutory timeframe.

**Active Development Applications  
Deemed Complete After September 3, 2019  
(Effective November 15, 2023)**

File	Address	Date Received	Date <sup>1</sup> Deemed Incomplete	Date <sup>1</sup> Deemed Complete	90 day cut off (Rezoning)	120 day cut off (OPA or Plan of Sub)	Applicant/Agent	Days Since Received and/or Deemed Complete as of November 15, 2023
<b>Ward 1</b>								
UHOPA-20-027 ZAC-20-042	1629-1655 Main Street West, Hamilton	2-Nov-20	n/a	1-Dec-20	n/a	02-Mar-21	GSP Group	1129
UHOPA-22-005 ZAC-22-012	200 Market Street, 55 Queen Street North, Hamilton	19-Jan-22	n/a	19-Jan-22	n/a	19-May-22	GSP Group	664
UHOPA-17-036 ZAC-17-036	644 Main Street West, Hamilton (in abeyance)	01-Nov-17	n/a	23-Nov-17	n/a	01-Mar-17	Urban Solutions Planning & Land Development	2204
UHOPA-23-008 ZAC-23-020	17 Ewen Road, Hamilton	19-Dec-22	n/a	17-Jan-23	n/a	21-Apr-23	GSP Group	327
<b>Ward 2</b>								
UHOPA-21-007 ZAC-21-014	101 Hunter Street East, Hamilton	23-Mar-21	n/a	8-Apr-21	n/a	21-Jul-21	Coletara Developments	1024

**Active Development Applications  
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(Effective November 15, 2023)**

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<b>Ward 2 Continued</b>								
UHOPA-23-012 ZAC-23-027	175 John Street N, Hamilton	19-Dec-22	n/a	30-Jan-23	n/a	18-Apr-23	Philip Alaimo	330
ZAC-23-019	117 Forest Avenue, Hamilton	23-Dec-22	n/a	17-Jan-23	23-Mar-23	n/a	Urban Solutions Planning & Land Development	326
ZAC-23-029 25T-202303	215 King Street W, Hamilton	23-Dec-22	n/a	2-Feb-23	n/a	22-Apr-23	Arcadis IBI Group	326
UHOPA-23-014 ZAC-23-031	118 King St W., Hamilton	15-Dec-22	n/a	22-Feb-23	n/a	14-Apr-23	Arcadis IBI Group	334
<b>Ward 3</b>								
ZAC-22-049	338 Cumberland Avenue, Hamilton	20-July-22	n/a	20-July-22	18-Oct-22	n/a	Urban Solutions Planning & Land Development	483
ZAC-22-053	83 Emerald Street South, Hamilton	9-Aug-22	n/a	22-Aug-22	7-Nov-22	n/a	Gladki Planning Associates Inc.	463

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<b>Ward 5</b>								
UHOPA-22-016 ZAC-22-030	399 Greenhill Avenue, Stoney Creek	26-Apr-22	n/a	27-Apr-22	n/a	28-July-22	Bousfields Inc.	567
25T-202305	75 Centennial Parkway North, Hamilton	23-Aug-23	n/a	6-Sep-23	n/a	21-Dec-23	Bousfields Inc.	83
ZAC-23-023	2481 Barton Street East, Hamilton	22-Dec-22	n/a	19-Jan-23	22-Mar-23	n/a	GSP Group Inc.	327
UHOPA-23-013 ZAC-23-028 25T-85033R	117 Nashville Circle, Stoney Creek	23-Dec-22	n/a	22-Feb-23	n/a	22-Apr-23	Bousfields Inc.	326
<b>Ward 6</b>								
ZAC-22-037 25T-202207	61 Eleanor Avenue, Hamilton	13-June-22	n/a	15-June-22	n/a	12-Oct-22	A.J. Clarke & Associates Ltd.	530
UHOPA-22-027 ZAC-22-065	1400 Limeridge Road East, Hamilton	31-Oct-22	n/a	10-Nov-22	n/a	28-Feb-23	MHBC Planning Ltd.	380
ZAC-23-009	1280 Rymal Road East, Hamilton	15-Dec-22	n/a	6-Jan-23	15-Mar-23	n/a	Fothergill Planning & Development Inc.	335

**Active Development Applications  
Deemed Complete After September 3, 2019  
(Effective November 15, 2023)**

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<b>Ward 7</b>								
ZAC-22-016	48 Miles Road, Hamilton	25-Jan-22	n/a	10-Feb-22	25-Apr-22	n/a	IBI Group	642
<b>Ward 8</b>								
UHOPA-20-017 ZAC-20 029 25T-202003	393 Rymal Road West, Hamilton	20-Jul-20	n/a	19-Aug-20	n/a	17-Nov-20	GSP Group Inc.	1232
ZAC-21-029 25T-202108	204, 212, 220, 226 Rymal Road West, Hamilton	05-July-21	n/a	09-Aug-21	n/a	02-Nov-21	T. Johns Consulting Group	856
ZAC-22-024 25T-202204	1456-1460 Upper James Street, Hamilton	28-Mar-22	n/a	08-Apr-22	n/a	26-Jul-22	A.J. Clarke & Associates	597
ZAC-22-066	81 Rymal Road East, Hamilton	24-Oct-22	n/a	24-Nov-22	22-Jan-22	n/a	GSP Group Inc.	387
UHOPA-23-004 ZAC-23-005	1550 Upper James Street, Hamilton	24-Nov-22	n/a	9-Dec-22	n/a	24-Mar-23	Arcadis IBI Group	356
ZAC-23-014	253 & 259 Limeridge Road West, Hamilton	22-Dec-22	n/a	18-Jan-23	22-Mar-23	n/a	Urban Solutions Planning & Land Development	327

**Active Development Applications  
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(Effective November 15, 2023)**

File	Address	Date Received	Date <sup>1</sup> Deemed Incomplete	Date <sup>1</sup> Deemed Complete	90 day cut off (Rezoning)	120 day cut off (OPA or Plan of Sub)	Applicant/Agent	Days Since Received and/or Deemed Complete as of November 15, 2023
<b>Ward 9</b>								
ZAC-22-001	2153, 2155, and 2157 Rymal Road East, Stoney Creek	4-Nov-21	n/a	n/a	2-Feb-22	n/a	Weston Consulting	740
ZAC-22-029 25T-202206	481 First Road W., Stoney Creek	22-Apr-22	n/a	n/a	n/a	24-Jul-22	Kuok Kei Hong	573
UHOPA-23-005 ZAC-23-006	1065 Paramount Drive, Stoney Creek	18-Nov-22	n/a	13-Dec-22	n/a	18-Mar-23	Arcadis IBI Group	362
25T-202304	157 Upper Centennial Parkway, Stoney Creek	22-Dec-22	n/a	11-Apr-23	n/a	11-Aug-23	MHBC Planning Ltd.	327
UHOPA-23-007 ZAC-23-017	2070 Rymal Road East, Stoney Creek	22-Dec-22	n/a	17-Jan-23	n/a	21-Apr-23	Bousfields Inc.	327
UHOPA-23-11 ZAC-23-026	196-202 Upper Mount Albion Road, Stoney Creek	9-Dec-22	n/a	24-Jan-23	n/a	8-Apr-23	NPG Planning Solutions	340

**Active Development Applications  
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File	Address	Date Received	Date <sup>1</sup> Deemed Incomplete	Date <sup>1</sup> Deemed Complete	90 day cut off (Rezoning)	120 day cut off (OPA or Plan of Sub)	Applicant/Agent	Days Since Received and/or Deemed Complete as of November 15, 2023
<b>Ward 10</b>								
UHOPA-21-006 ZAC-21-011	582 and 584 Hwy. 8, Stoney Creek	08-Feb-21	n/a	08-Mar-21	n/a	21-Jul-21	SIMNAT Consulting Inc.	1037
UHOPA-22-020 ZAC-22-046 25T-202208	220 McNeilly Road, Hamilton	8-July-22	n/a	22-July-22	n/a	5-Nov-22	T. Johns Consulting Group	495
ZAC-23-004	48 Jenny Court	29-Nov-22	n/a	4-Jan-23	27-Feb-23	n/a	T. Johns Consulting Group	351
<b>Ward 11</b>								
UHOPA-21-008 ZAC-21-018 25T-202106	9555 Airport Road West, Hamilton	15-Apr-21	n/a	27-Apr-21	n/a	13-Aug-21	A.J. Clarke & Associates Ltd.	943
UHOPA-22-008 ZAC-22-017 25T-202202	3054 Homestead Drive, Hamilton	27-Jan-22	n/a	10-Feb-22	n/a	25-May-22	Urban Solutions Planning & Land Development	659
UHOPA-22-014 ZAC-22-027 25T-202205	2876 Upper James Street, Glanbrook	05-Apr-22	n/a	05-Apr-22	n/a	03-Aug-22	Rice Group	589
ZAC-22-055	2640 Binbrook Road, Glanbrook	16-Aug-22	n/a	18-Aug-22	14-Nov-22	n/a	IBI Group	456
25T-202203	9451 Dickenson Road West, Glanbrook	11-Nov-21	10-Dec21	20-Dec-21	n/a	11-Mar-22	Korsiuk Urban Planning	733

**Active Development Applications  
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File	Address	Date Received	Date <sup>1</sup> Deemed Incomplete	Date <sup>1</sup> Deemed Complete	90 day cut off (Rezoning)	120 day cut off (OPA or Plan of Sub)	Applicant/Agent	Days Since Received and/or Deemed Complete as of November 15, 2023
<b>Ward 12</b>								
UHOPA-20-013 ZAC-20-017	210 Calvin Street, Ancaster	18-Feb-20	04-Mar-20	11-Jun-20	n/a	09-Oct-20	SGL Planning & Design Inc.	1279
25T-202102	370 Garner Road East, Ancaster	18-Dec-20	n/a	22-Jan-21	n/a	17-Apr-21	A.J. Clarke & Associates Ltd.	1089
25T-202105	700 Garner Road East, Ancaster	18-Jan-21	n/a	04-Feb-21	n/a	18-May-21	MHBC Planning Ltd.	1058
UHOPA-21-022 ZAC-21-047	559 Garner Road East, Ancaster	15-Oct-21	n/a	20-Oct-21	n/a	12-Feb-22	Urban Solutions Planning and Land Development	760
ZAC-23-010	299 Fiddlers Green Road, Ancaster	19-Dec-22	n/a	6-Jan-23	19-Mar-23	n/a	Wellings Planning Consultants	331
<b>Ward 14</b>								
ZAC-23-016 25T-202301	760 Stone Church Road East, Hamilton	19-Dec-22	n/a	19-Jan-23	n/a	18-Apr-23	A.J. Clarke & Associates	330



**Active Development Applications  
Deemed Complete After September 3, 2019  
(Effective November 15, 2023)**

File	Address	Date Received	Date <sup>1</sup> Deemed Incomplete	Date <sup>1</sup> Deemed Complete	90 day cut off (Rezoning)	120 day cut off (OPA or Plan of Sub)	Applicant/Agent	Days Since Received and/or Deemed Complete as of November 15, 2023
<b>Ward 15</b>								
ZAC-20-006	518 Dundas Street East, Dundas	23-Dec-19	n/a	22-Jan-20	n/a	21-Apr-20	Urban Solutions Planning and Land Development	1423
UHOPA-21-003 ZAC-21-007 25T-202103	562 Dundas Street East, Flamborough	23-Dec-20	n/a	08-Feb-21	n/a	22-Apr-21	Metropolitan Consulting Inc.	1057
25T-201507R	74 Parkside Drive, Flamborough	11-Aug-22	n/a	18-Aug-22	n/a	17-Oct-22	IBI Group	461

Active Development Applications

- When an Application is deemed incomplete, the new deemed complete date is the day the new materials are submitted. In these situations, the 90 and 120 day timeframe commences on the date the new materials were submitted. In all other situations, the 90 and 120 day timeframe commences the day the Application was received.

**Planning Act Applications  
Currently Appealed for Non-Decision to the  
Ontario Land Tribunal (OLT)  
(Effective November 15, 2023)**

	Address	Applicant /Agent	Date Appeal Received
<b>Ward 2</b>			
1	299-307 John Street South, Hamilton	Urban Solutions Planning & Land Development Consultants Inc.	November 2021
2	186 Hunter Street West, Hamilton	Urban Solutions Planning & Land Development Consultants Inc.	June 2022
3	117 Jackson Street East, Hamilton	Bousfields Inc.	September 2023
<b>Ward 4</b>			
4	1284 Main Street East, Hamilton	GSP Group	August 2023
<b>Ward 5</b>			
5	651 Queenston Road, Hamilton	A.J. Clarke & Associates Ltd	September 2022
6	2900 King Street East, Hamilton	Urban Solutions Planning & Land Development Consultants Inc.	November 2022
<b>Ward 7</b>			
7	499 Mohawk Road East, Hamilton	Urban Solutions Planning & Land Development Consultants Inc.	August 2023
8	544 and 550 Rymal Road East, Hamilton	Rymal East Development Corp.	July 2023

**Planning Act Applications  
Currently Appealed for Non-Decision to the  
Ontario Land Tribunal (OLT)  
(Effective November 15, 2023)**

	Address	Applicant /Agent	Date Appeal Received
<b>Ward 9</b>			
9	157 Upper Centennial Parkway, Stoney Creek	WEBB Planning Consultants Inc.	September 2017
<b>Ward 10</b>			
10	1036, 1038, 1054, 1090 Barton Street, and 262 McNeilly Road, Stoney Creek	Glen Schnarr & Associates Inc.	November 2021
11	1400 South Service Road, Stoney Creek	MHBC Planning Ltd.	November 2023
<b>Ward 11</b>			
12	526 Winona Road, Stoney Creek	Urban Solutions Planning & Land Development Consultants Inc.	June 2022
13	3160, 3168, 3180, and 3190 Regional Road 56, Binbrook	MHBC Planning Limited	November 2022
14	3064, 3070, 3078, 3084 Regional Road 56, Glanbrook	MHBC Planning Limited	November 2022
15	11, 19, 20, 21, 23, 27 & 30 Lakeside Drive, 81 Waterford Crescent, Stoney Creek	IBI Group	December 2022

**Planning Act Applications  
Currently Appealed for Non-Decision to the  
Ontario Land Tribunal (OLT)  
(Effective November 15, 2023)**

	Address	Applicant /Agent	Date Appeal Received
<b>Ward 12</b>			
16	140 Garner Road, Ancaster	Urban Solutions Planning and Land Development Consultants Inc.	February 2022
<b>Ward 12 Continued</b>			
17	1019 Wilson Street West, Ancaster	MHBC Planning Limited	July 2022
18	509 Southcote Road, Ancaster	Urban Solutions Planning and Land Development Consultants Inc.	June 2023
19	140 & 164 Sulphur Springs Road, Ancaster	Fothergill Planning & Development Inc.	July 2023
<b>Ward 14</b>			
20	801-870 Scenic Drive, Hamilton	Valery Developments Inc.	May 2021
<b>Ward 15</b>			
21	609 and 615 Hamilton Street North and 3 Nesbit Boulevard and 129 – 137 Trudell Circle, Flamborough (Waterdown)	Urban Solutions Planning and Land Development Consultants Inc.	October 2017

**Planning Act Applications  
Currently Appealed for Non-Decision to the  
Ontario Land Tribunal (OLT)  
(Effective November 15, 2023)**

	<b>Address</b>	<b>Applicant /Agent</b>	<b>Date Appeal Received</b>
22	111 Silverwood Drive (111 Parkside Drive, Flamborough (Waterdown))	Metropolitan Consulting Inc.	October 2017
<b>Ward 15 Continued</b>			
23	30, 36 and 42 Dundas Street East, 50 Horseshoe Crescent, and 522 Highway 6, Flamborough	MHBC Planning	August 2021
24	909 North Waterdown Drive, Flamborough	Corbett Land Strategies Inc.	December 2022



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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	November 14, 2023
<b>SUBJECT/REPORT NO:</b>	Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13)
<b>WARD(S) AFFECTED:</b>	Ward 13
<b>PREPARED BY:</b>	Shaival Gajjar (905) 546-2424 Ext. 5980
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

## RECOMMENDATION

That **Amended Zoning By-law Amendment Application ZAC-22-044, by WEBB Planning Consultants (c/o James Webb), on behalf of 64 Hatt St Investments Inc. (c/o Forge & Foster), owner**, for a change in zoning from General Industrial (I.G) Zone to Mixed Use Medium Density (C5, 863, H156) Zone and from Open Space – Conservation Zone (OS) and Open Space - Conservation Zone (OS/S-7) to Conservation/Hazard Land (P5, 863) Zone, to permit the adaptive reuse of existing industrial buildings on the lands located at 64 Hatt Street, as shown on Appendix "A" attached to Report PED23164, be **APPROVED**, on the following basis:

- (a) That the Draft By-law, attached as Appendix "B" to Report PED23164, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol 'H' to the proposed Mixed Use Medium Density (C5, 863, H156) Zone as shown on Schedule "A" of Appendix "B" attached to Report PED23164 and shall be lifted conditional upon the following:

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OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 2 of 15**

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- (i) That the Owner submits and receives approval of a Functional Servicing Report to demonstrate that the change in land use can be serviced without adverse impacts to the existing infrastructure, to the satisfaction of the Director of Development Engineering;
- (ii) That the owner acknowledges and agrees that, as part of a future Site Plan Control application, the owner will enter into and register on title an External Works Agreement with the City for the design and construction of any required infrastructure upgrades at the owner's expense, to the satisfaction of the Director of Development Engineering;
- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended); and complies with the Urban Hamilton Official Plan.

### **EXECUTIVE SUMMARY**

The subject lands are located at the south-east corner of Hatt Street and McMurray Street and are bound by Spencer Creek to the south. The property contains a former industrial building, known as the Gartshore Building (c. 1846) which was originally constructed as a foundry and used for manufacturing. The Applicant, WEBB Planning Consultants (c/o James Webb), has applied for a Zoning By-law Amendment to permit commercial uses within the existing industrial building, as shown on Appendix "C" attached to Report PED23164.

The purpose of the Zoning By-law Amendment application is to rezone the subject lands from General Industrial (I.G) Zone to Mixed Use Medium Density (C5, 863, H156) Zone and from Open Space - Conservation Zone (OS), and Open Space - Conservation Zone (OS/S-7) to the Conservation/Hazard Land (P5, 863) Zone to permit the adaptive reuse of the existing buildings. The proposed Zoning By-law Amendment includes modifications to the Conservation/Hazard Land (P5) Zone and Mixed Use Medium Density (C5) Zone to restrict additions or expansions to existing buildings and to allow uses permitted in accordance with Sections 10.5.1, 10.5.1.1, and 10.5.2 of the Zoning By-law No. 05-200.

Additionally, a Holding 'H' Provision is recommended for the amending By-law for a Functional Servicing Report, to demonstrate that the change in use can be serviced without adverse impacts to the existing infrastructure.

On October 25, 2023, Council passed By-law No. 23-200, designating the property under Part IV of the *Ontario Heritage Act* (see Report PED23124). Designated properties require Heritage Permit Applications for any proposed changes to the

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 3 of 15**

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heritage attributes identified in the Statement of Cultural Heritage Value or Interest for the property.

The application has merit and can be supported for the following reasons:

- It is consistent with the Provincial Policy Statement (2020);
- It conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- It complies with the Urban Hamilton Official Plan, in particular, the intensification, and function of the “Mixed Use – Medium Density” designation, Urban Design, and Core Area policies; and,
- The proposal is compatible with and complementary to the existing and planned land uses in the immediate and surrounding area, and represents good planning by, among other things, making efficient use of existing infrastructure within the urban boundary, managing and preserving built heritage assets and contributing to the economic vitality of downtown Dundas.

**Alternatives for Consideration – See Page 15**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold a public meeting to consider an application for an amendment to the Zoning By-law.

**HISTORICAL BACKGROUND**

<b>Application Details</b>	
Owner:	64 Hatt St Investments Inc. (c/o Forge & Foster).
Applicant/Agent:	WEBB Planning Consultants (c/o James Webb).
File Number:	ZAC-22-044.
Type of Application:	Zoning By-law Amendment.
Proposal:	To permit the adaptive reuse of the existing buildings on the property by allowing a mix of commercial uses such as retail, restaurant, offices, etc.

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 4 of 15**

<b>Property Details</b>	
Municipal Address:	64 Hatt Street, Dundas
Lot Area:	± 1.09 ha.
Servicing:	Full municipal services.
Existing Use:	Vacant industrial buildings.
Proposed Use:	Mixed use buildings.
<b>Documents</b>	
Provincial Policy Statement (PPS):	The proposal is consistent with the Provincial Policy Statement (2020).
A Place to Grow:	The proposal conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
Official Plan Existing:	<p>“Mixed Use – Medium Density” on Schedule E-1 – Urban Land Use Designations</p> <p>“Dundas Two Zone Floodplain Area” on Map D-1 - Dundas Area Specific Policies.</p> <p>“Lands located along Spencer Creek” on Map D-2 - Dundas Area Specific Policies.</p>
Zoning Existing:	General Industrial (I.G) Zone; Open Space – Conservation Zone (OS); and, Open Space – Conservation Zone (OS/S-7).
Zoning Proposed:	<p>Mixed Use Medium Density (C5, 863, H156) Zone.</p> <p>Conservation/Hazard Land (P5, 863) Zone.</p> <p>Staff amended the application to rezone those portions of the lands that are Open Space - Conservation Zone (OS) and Open Space - Conservation Zone (OS/S-7) to Conservation/Hazard Land (P5, 863) Zone.</p>
Modifications Proposed:	<p>To modify the Conservation/Hazard Land (P5) Zone and Mixed Use Medium Density (C5) Zone to:</p> <ul style="list-style-type: none"> <li>• permit the buildings existing on the date of the passing of this By-law with no further additions or expansions; and,</li> <li>• permit the uses in accordance with Sections 10.5.1, 10.5.1.1, and 10.5.2.</li> </ul>

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 5 of 15**

<b>Processing Details</b>	
Received:	June 10, 2022.
Deemed complete:	July 7, 2022.
Notice of Complete Application:	Sent to 269 property owners within 120 metres of the subject lands on July 11, 2022.
Public Notice Sign:	Posted July 22, 2022 and updated with the Public Meeting date on October 16, 2023.
Notice of Public Meeting:	Sent to 269 property owners within 120 metres of the subject lands on October 27, 2023.
Public Comments:	No public comments received.
Processing Time:	523 days from the date of receipt of the application.

**Existing Land Use and Zoning**

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Industrial buildings	General Industrial (I.G) Zone, Open Space - Conservation Zone (OS) and Open Space - Conservation Zone (OS/S-7)

**Surrounding Land Uses:**

North	Commercial uses	Mixed Use Medium Density (C5, 304) Zone, Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density (C5, 594) Zone
South	Spencer Creek	Open Space - Conservation Zone (OS/S-7) and Open Space - Conservation Zone (OS)

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 6 of 15**

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**Surrounding Land Uses Continued:**

East	Medical Offices, Vacant / Parking Lot, and Apartment Building.	Mixed Use Medium Density (C5) Zone, Open Space - Conservation Zone (OS) and High Density Multiple Dwelling (RM4/S-83) Zone
West	Physiotherapy Clinic, and Outdoor Vehicle Storage	Mixed Use Medium Density (C5, 709) Zone and Mixed Use Medium Density (C5, 581) Zone

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

**Provincial Planning Policy Framework**

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (2020). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Policy Statement (2020) and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (A Place to Grow, 2019, as amended).

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent approval by the Ontario Land Tribunal, the City of Hamilton has established the Urban Hamilton Official Plan which contains local policies for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (i.e., efficiency of land use) are discussed in the Official Plan analysis below.

As the application for Zoning By-law Amendment complies with the Urban Hamilton Official Plan, it is staff's opinion that the application is:

- Consistent with Section 3 of the *Planning Act*;
- Consistent with the Provincial Policy Statement (2020);
- Conforms to A Place to Grow: Growth Plan for the Greater Holden Horseshoe, (2019, as amended).

**Urban Hamilton Official Plan**

The subject lands are designated "Mixed Use – Medium Density" on Schedule E-1 – Urban Land Use Designations and located within "UD-1" Dundas Two Zone Floodplain

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 7 of 15**

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Area of Map D-1 and "UD-6" Lands Located Along Spencer Creek of Map D-2 in Volume 3: Area Specific Policies. The following policies, amongst others, apply to the proposal.

Mixed Use – Medium Density

- "E.4.6.1 The range of commercial uses is intended to serve the surrounding community or series of neighbourhoods as well as provide day-to-day retail facilities and services to residents in the immediate area. These areas shall also serve as a focus for the community, creating a sense of place.
- E.4.6.9 The predominant built form shall be mid rise and low rise mixed use buildings that have retail and service commercial stores at grade. Single use commercial buildings and medium density ground related housing forms shall also be permitted, except for pedestrian focus streets as listed by Policy E.4.3.1.1. (OPA 65) (OPA 142)
- E.4.6.22 Development applications shall be encouraged to provide a mix of uses on the site."

The proposal is to rezone the property from an industrial zone to a mixed use zone to permit the adaptive reuse of existing heritage designated buildings by allowing a range of commercial uses such as retail, restaurant, and offices that serves the surrounding community.

Cultural Heritage

- "B.3.4.1.4 Ensure that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources.
- B.3.4.2.1 The City of Hamilton shall, in partnership with others where appropriate:
- g) Ensure the conservation and protection of cultural heritage resources in planning and development matters subject to the *Planning Act* either through appropriate planning and design measures or as conditions of development approvals.
  - h) Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes, by encouraging those land uses, development

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 8 of 15**

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and site alteration activities that protect, maintain and enhance these areas within the City.

- B.3.4.3.6 The City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, secondary plans and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials.”

The subject property comprises the former Dundas Foundry / Valley City Manufacturing complex, which contains 12 historic structures constructed between the mid-nineteenth and mid-twentieth centuries, the oldest of which were built circa 1846. On October 25, 2023, Council passed By-law No. 23-200, designating the property under Part IV of the *Ontario Heritage Act* (see Report PED23124). Designated properties require Heritage Permit Applications for any proposed changes to the heritage attributes identified in the Statement of Cultural Heritage Value or Interest for the property.

#### Health and Public Safety

- “B.3.6.1.1 Where there is potential for site contamination due to previous uses of a property and a more sensitive land use is proposed, a mandatory filing of a Record of Site Condition is triggered as outlined in provincial guidelines. The Record of Site Condition shall be submitted by the proponent to the City and the Province. The Record of Site Condition shall be to the satisfaction of the City.”

The proposal will establish a mix of uses on the site which previously had industrial uses. The *Environmental Protection Act* requires a Record of Site Condition be submitted prior to a change in property use from commercial or industrial to a residential use. A Record of Site Condition shall be required when an application for Site Plan Control and/or Building Permit is submitted for any residential or other similar use.

#### Core Areas

- “C.2.3.3 The natural features and ecological functions of Core Areas shall be protected and where possible and deemed feasible to the satisfaction of the City enhanced. To accomplish this protection and enhancement, vegetation removal and encroachment into Core Areas shall generally not be permitted, and appropriate vegetation protection zones shall be applied to all Core Areas.

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 9 of 15**

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C.2.11.1 The City recognized the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.”

The subject lands are abutting Spencer Creek which is designated as a Key Hydrologic Feature Stream on Schedule B of the Urban Hamilton Official Plan. It is noted that the subject property is already disturbed, and no new construction is proposed on the property. Staff have requested correspondence from the Ministry of the Environment, Conservation and Parks providing instruction and mitigation measures with respect to the at-risk Chimney Swift species that have been identified on site. There is an existing fence along the top of bank that restricts new construction towards the creek. The proposed Zoning By-law Amendment includes rezoning a portion of the lands to Conservation/Hazard Land (P5, 863) Zone which will continue to protect and restrict new development adjacent to Spencer Creek. The proposed modifications to the Conservation/Hazard Land (P5) Zone and Mixed Use Medium Density (C5) Zone protect the existing buildings by restricting further additions or expansions to the existing buildings and allows uses permitted in accordance with Sections 10.5.1, 10.5.1.1, and 10.5.2 of Zoning By-law No. 05-200.

The applicant has indicated that trees will not be removed, and staff are of the opinion that the Tree Protection Plan requirement for a future Site Plan Control application may be waived in lieu of the applicant adding a detail to any future site plan drawing that tree protection fencing will be installed during construction activities.

#### Infrastructure

“C.5.3.17 The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding and, where technically and economically possible, the City shall require such services to be located underground.”

While existing buildings on the property has historically been industrial and currently zoned to allow a range of service intensive uses including food processing and manufacturing, staff have not determined there is adequate water and wastewater capacity to service the range of commercial uses proposed. Staff are recommending that a Holding ‘H’ Provision be placed on the property, which can be lifted once the owner submits and receives approval of a Functional Servicing Report that demonstrates that the proposed development can be serviced without adverse impacts to the existing network.

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 10 of 15**

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**Volume 3: Area Specific Policies**

Dundas Two one Floodplain Area (UD-1)

- “B.1.0 Council recognizes the inherent dangers to development in areas subject to flooding and the constraints required to minimize the loss of life and property. Accordingly, the following policies shall apply within the floodplain area shown on Map D-1 as Area Specific UD-1:
- b) Where a proposal is made for development or redevelopment within or in proximity to UD-1, the City shall request the proponent to contact the Hamilton Conservation Authority to determine if and what flood protection measures are necessary, or other limitations to development.
  - g) Non-residential development within the flood fringe area may be permitted on the basis of limited or no fill and subject to adequate flood proofing.
  - h) Paved day-use parking lots may be permitted within the flood fringe without the necessity of flood protection measures.”

The Zoning By-law Amendment application has been circulated to the Hamilton Conservation Authority who noted that in 2018 a previous owner of the property had applied for a permit to undertake floodproofing of the existing building but did not follow through with the application and a permit was not issued. Should the Zoning By-law Amendment application be approved, the applicant would be required to obtain a permit from the Hamilton Conservation Authority to complete this floodproofing prior to the City issuing Building Permits.

Lands Located Along Spencer Creek (UD-6)

- “B.1.0 In addition to the policies of Volume 1, the following policy shall apply to lands located along Spencer Creek, shown as Area Specific UD-6 on Map D-2:
- a) Development or redevelopment proposals on sites adjacent to Spencer Creek shall be required to provide public access to the creek, and to make necessary improvements to complete the trail system along Spencer Creek to the satisfaction of the City and the Hamilton Conservation Authority.”

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 11 of 15**

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Currently, there is no public access to Spencer Creek from the subject lands. If the site is redeveloped, staff would seek improvements to ensure public access to Spencer Creek in association with the Hamilton Conservation Authority.

Based on the foregoing, the proposal complies with the policies of Volume 1 and 3 of the Urban Hamilton Official Plan, subject to the Holding Provision.

**Town of Dundas Zoning Bylaw No. 3581-86**

The subject lands are zoned General Industrial (I.G) Zone, Open Space - Conservation Zone (OS), and Open Space - Conservation Zone (OS/S-7) in the former Town of Dundas Zoning By-law No. 3581-86. The General Industrial (I.G) Zone permits general manufacturing, assembling and fabricating industries, and related wholesale and retail commercial uses. The intent of the Open Space - Conservation Zone (OS) is to protect lands that are unsuitable for general urban development due to their physiographic characteristics or their ecological significance. The Open Space - Conservation Zone (OS/S-7) permits the existing parking lot as an accessory use to the industrial use to the north.

**Hamilton Zoning By-law No. 05-200**

The Zoning By-law Amendment is to rezone the subject lands to Mixed Use Medium Density (C5, 863, H156) Zone and Conservation/Hazard Land (P5, 863) Zone to permit the adaptive reuse of existing buildings with a range of commercial uses including retail and restaurant and to continue to protect the natural features. Modifications to the Conservation/Hazard Land (P5) Zone and Mixed Use Medium Density (C5) Zone restricts further additions or expansions to the existing buildings and allows uses permitted in accordance with Sections 10.5.1, 10.5.1.1, and 10.5.2 of the Zoning By-law No. 05-200. The applicant is not in agreement with the amended By-law.

**RELEVANT CONSULTATION**

<b>Departments and Agencies</b>	
<ul style="list-style-type: none"> <li>• Landscape Architectural Services, Strategic Planning Division, Public Works Department;</li> <li>• Commercial District and Small Business Section, Planning &amp; Economic Development Department;</li> <li>• Corporate Real Estate, Planning &amp; Economic Development Department;</li> <li>• Canada Post Corporation; and,</li> <li>• Alectra Utilities.</li> </ul>	No Comments.

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 12 of 15**

	<b>Comment</b>	<b>Staff Response</b>
Growth Management Division, Planning and Economic Development Department	<p>A Functional Servicing Report is required containing sanitary design calculations to demonstrate that the flows generated from the proposed development will not adversely impact the hydraulic performance of the City's sanitary sewer system. The Functional Servicing Report shall also show that the municipal watermains can provide the required fire flow and domestic flow to support the proposed development.</p> <p>It should be determined if a Draft Plan of Condominium application will be required in the future.</p> <p>The owner and agent should be made aware that the municipal addresses for this proposal will be determined after conditional Site Plan approval is granted.</p>	<p>A Holding Provision requiring the submission of a Functional Servicing Report has been added to the amending by-law.</p> <p>The proposal tenure has not been confirmed by the applicant.</p> <p>Should a Site Plan Control application be required, municipal addressing will be a condition of approval.</p>
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	<p>A Tree Management Plan will be required, and a permit will be issued upon approval of the Tree Management Plan and applicable fees.</p> <p>A detailed Landscape Planting Plan prepared by a Registered Landscape Architect, showing the placement of trees on City property is required.</p>	<p>Should a Site Plan Control application be required, a Tree Management Plan and a Landscape Planting Plan will be conditions of approval.</p>
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department	<p>To protect the existing and future pedestrian realm, cycling infrastructure and road Network, Transportation Planning shall require site plan revisions.</p>	<p>Should a Site Plan Control application be required, revisions will be required to address Transportation Planning comments.</p>
Waste Management Operations Section, Environmental Services Division, Public Works Department	<p>The development is ineligible for municipal waste collection and will be required to follow the requirements under the Waste Management System By-law No. 20-221.</p>	<p>Noted.</p>

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 13 of 15**

	<b>Comment</b>	<b>Staff Response</b>
Infrastructure Renewal, Public Works Department	Hatt Street is scheduled for reconstruction in 2026 including watermain replacement along the frontage of the subject lands. Any works within the Hatt Street right-of-way should be completed prior to this time or coordinated with the Public Works Department to prevent the need to cut into the reconstructed road after that time.	Noted.
Hamilton Conservation Authority	<p>Hamilton Conservation Authority noted that in 2018, the previous owner of the property had applied for a permit to undertake floodproofing of the existing building but did not follow through with the application and a permit was not issued.</p> <p>The applicant would be required to obtain a permit from Hamilton Conservation Authority to complete this floodproofing prior to the City issuing a change of use permit for internal renovations.</p>	This will be addressed at the future Building Permit stage.
<b>Public Consultation:</b> No submissions from the public.		

## Public Consultation

In accordance with the Council's Public Participation Policy, the Zoning By-law Amendment application was circulated as part of the Notice of Complete Application and Preliminary Circulation to 269 property owners within 120 metres of the subject lands on July 11, 2022. A Public Notice Sign was installed on the property on July 22, 2022 and updated with the Public Meeting date on October 16, 2023. To date, there have been no public submissions received by the City. Finally, Notice of the Public Meeting was given on October 27, 2023 in accordance with the requirements of the *Planning Act*.

A Public Consultation Strategy was submitted with the initial submission of the application. The applicant proposed to contact the Ward Councillor to determine whether a Neighbourhood Open House was required in advance of the Statutory Public Meeting.

An online Neighbourhood Open House was scheduled for Thursday, September 21, 2023. Notice was provided in the Dundas Star News newspaper on September 7, 2023. There were no members of the public in attendance at the Neighbourhood Open House.

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 14 of 15**

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**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - (ii) It complies with the Urban Hamilton Official Plan, in particular, the intensification, Mixed Use – Medium Density and Cultural Heritage policies; and,
  - (iii) It is considered to be compatible with, and complementary to the existing surrounding neighbourhood and represents good planning by, among other things, reusing existing buildings (with heritage value) that would provide for an increase in businesses that offer employment opportunities within the community of Dundas.
  
2. Zoning By-law Amendment

The subject lands are currently zoned General Industrial (I.G) Zone, Open Space - Conservation Zone (OS), and Open Space - Conservation Zone (OS/S-7) in the former Town of Dundas Zoning By-law No. 3581-86. The subject lands are proposed to be rezoned to the Mixed Use Medium Density (C5, 863, H156) Zone and Conservation/Hazard Land (P5, 863) Zone to permit the adaptive reuse of existing buildings and protect the existing natural features. The proposed Zoning By-law Amendment includes modifications to the Conservation/Hazard Land (P5) Zone and Mixed Use Medium Density (C5) Zone that protect the existing buildings by restricting additions or expansions to the existing buildings and to allow uses permitted in accordance with Sections 10.5.1, 10.5.1.1, and 10.5.2 of the Zoning By-law No. 05-200. The existing buildings predates the adoption of Zoning By-law No. 05-200, making them legal non-conforming buildings. As the property is being rezoned to the Mixed Use Medium Density (C5) Zone with the intent of adaptive reuse of the existing buildings, these modifications will restrict any further additions or expansions to the existing buildings and allow the uses of Mixed Use – Medium Density (C5) Zone within the portion of the building that is encroaching into the Conservation/Hazard Land (P5) Zone.

Staff support above-mentioned modifications as the buildings existed prior to the adoption of Zoning By-law No. 05-200 and recognizes an existing situation. Staff are also satisfied that the proposed Zoning By-law Amendment complies with the policies of the “Mixed Use - Medium Density” designation and Mixed Use Medium Density (C5) Zone through the adaptive reuse of existing heritage

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) - Page 15 of 15**

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buildings, proposing to provide commercial uses such as office, retail, and restaurant that serves the surrounding community, and to continue to protect the natural features through the Conservation/Hazard Land (P5, 863) Zone.

Staff are in support of the proposed Zoning By-law Amendment, subject to the Holding 'H' Provision.

**3. Holding Provision**

A Holding 'H' Provision is recommended to be added to the Zoning By-law Amendment to address the submission and approval of a Functional Servicing Report to demonstrate that a change in use will not have any adverse impacts on the existing network.

**ALTERNATIVES FOR CONSIDERATION**

Should the application be denied, the subject lands could be utilized in accordance with the existing General Industrial (I.G) Zone, Open Space - Conservation Zone (OS), and Open Space - Conservation Zone (OS/S-7) within the Dundas Zoning By-law No. 3581-86. The General Industrial (I.G) Zone permits general manufacturing, assembling and fabricating industries, and related wholesale and retail commercial uses. The Open Space - Conservation Zone (OS) is to protect lands unsuitable for general urban development due to their physiographic characteristics or their ecological significance. The Special Exception – 7 attached to the Open Space - Conservation Zone (OS/S-7) is to permit the existing parking lot as an accessory use to the industrial use to the north.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED23164 – Location Map

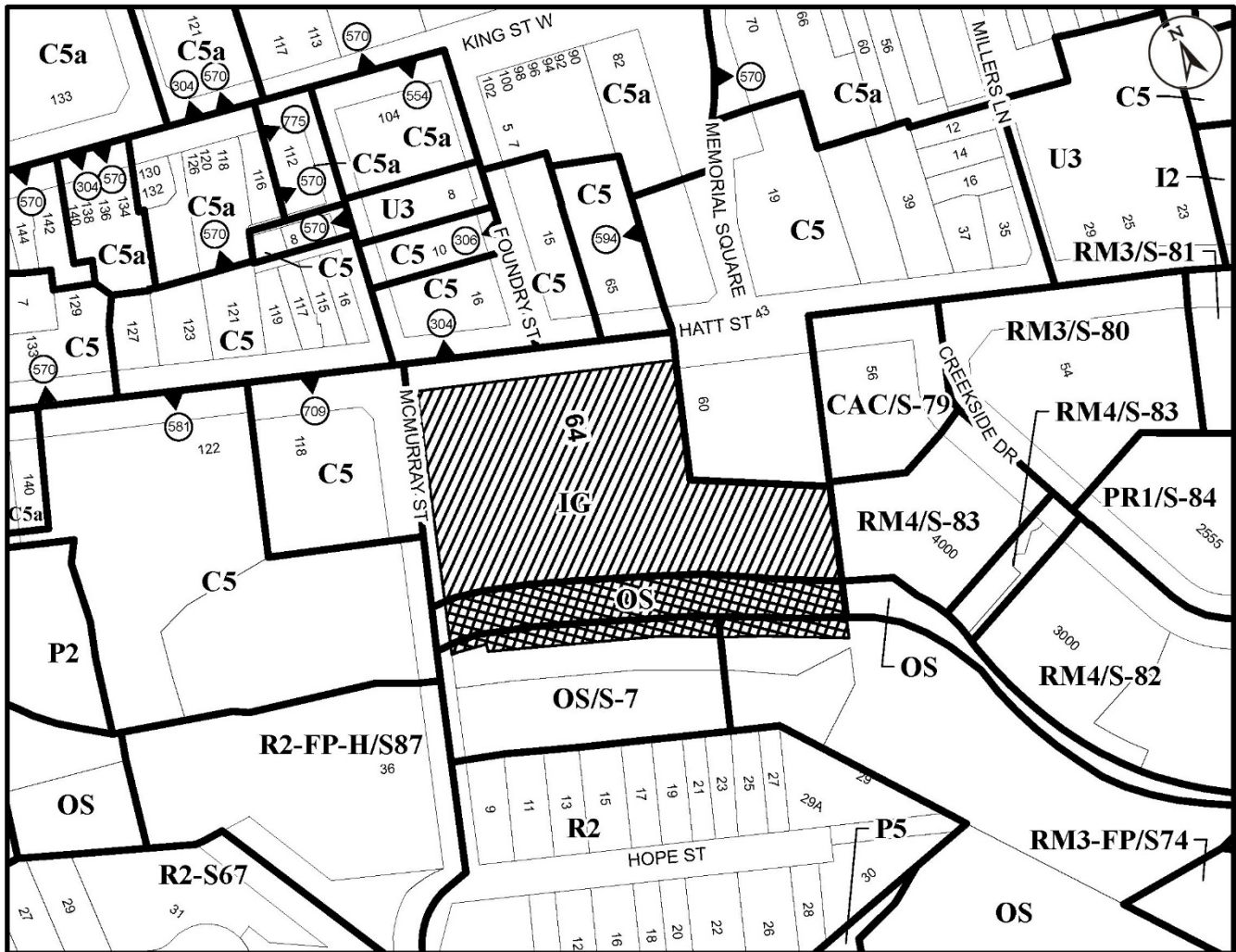
Appendix "B" to Report PED23164 – Draft Zoning By-law Amendment

Appendix "C" to Report PED23164 – Concept Floor Plans

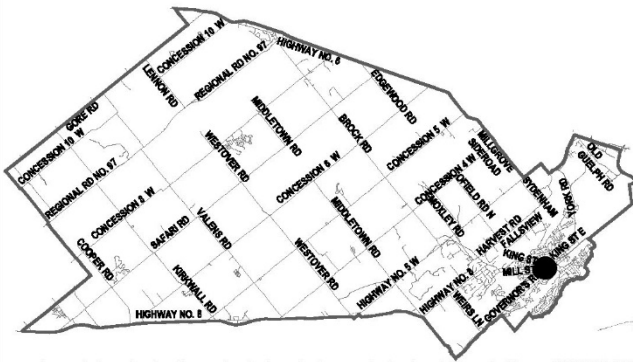
Appendix "D" to Report PED23164 – Site Specific Modifications

SG:sd

Appendix "A" to Report PED23164  
Page 1 of 1



● Site Location



Key Map - Ward 13

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-22-044

Date:  
October 19, 2023


Appendix "A"


Scale:  
N.T.S

Planner/Technician:  
SG/NB

### Subject Property

64 Hatt Street, Dundas (Ward 13)

 Lands to be added as Mixed Use Medium Density (C5, 863, H156) Zone

 Lands to be added as Conservation/Hazard Land (P5, 863) Zone

**Appendix “B” to Report PED23164  
Page 1 of 3**

**Authority:** Item,  
Report (PED23164)  
CM: November 22, 2023  
Ward: 13

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. 23-XXX**

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 64 Hatt Street (Dundas)**

**WHEREAS** Council approved Item \_\_\_\_ of Report PED23 \_\_\_\_ of the Planning Committee, at its meeting held on \_\_\_\_\_, 2023.

**AND WHEREAS** this By-law conforms with the Urban Hamilton Official Plan;

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

1. That Map Nos. 860 and 902 of Schedule “A” – Zoning Maps are amended by adding the Mixed Use Medium Density (C5, 863, H156) Zone and Conservation/Hazard Land (P5, 863) Zone, for the lands known as 64 Hatt Street the extent and boundaries of which are shown on Schedule “A” to this By-law.
2. That Schedule “C” – Special Exceptions be amended by adding the following new Special Exception:
 

“863. In addition to Section 7.5 and notwithstanding Section 10.5.3, on those lands zoned Conservation/Hazard (P5) Zone and Mixed use Medium Density (C5) Zone identified on Map Nos. 860 and 902 of Schedule "A" - Zoning Maps, and described as 64 Hatt Street, Dundas, the following special provision shall apply:

  - a) The buildings existing on the date of passing of this By-law shall be permitted and no further additions or expansions to the existing buildings shall be permitted and the uses therein shall be permitted in accordance with Sections 10.5.1, 10.5.1.1 and 10.5.2.
3. That Schedule “D” – Holding Provisions be amended by adding the following new Holding Provision:
 

“156. Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use Medium Density (C5) Zone, identified on Map Nos. 860 and 902 of Schedule “A” – Zoning Maps and described as 64 Hatt Street, no development shall be permitted until such time as:

**Appendix “B” to Report PED23164**

**Page 2 of 3**

- i) That the Owner submits and receives approval of a Functional Servicing Report to demonstrate that the change in use can be serviced without adverse impacts to the existing infrastructure, to the satisfaction of the Director of Development Engineering;
  - ii) That the owner acknowledges and agrees that, as part of a future Site Plan Control application, the owner will enter into and register on title an External Works Agreement with the City for the design and construction of any required infrastructure upgrades at the owner’s expense, to the satisfaction of the Director of Development Engineering.
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, 863, H156) Zone and Conservation/Hazard (P5, 863) 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 \_\_\_\_\_ , 2023

---

A. Horwath  
Mayor

---

J. Pilon  
Acting City Clerk

ZAC-22-044

**Appendix "B" to Report PED23164**  
**Page 3 of 3**



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 860 & 902

**Subject Property**

64 Hatt Street, Dundas (Ward 13)

 Lands to be added as Mixed Use Medium Density (C5, 863, H156) Zone

 Lands to be added as Conservation/Hazard Land (P5, 863) Zone

Scale:  
 N.T.S

File Name/Number:  
 ZAC-22-044

Date:  
 October 19, 2023

Planner/Technician:  
 AG/NB



Hamilton

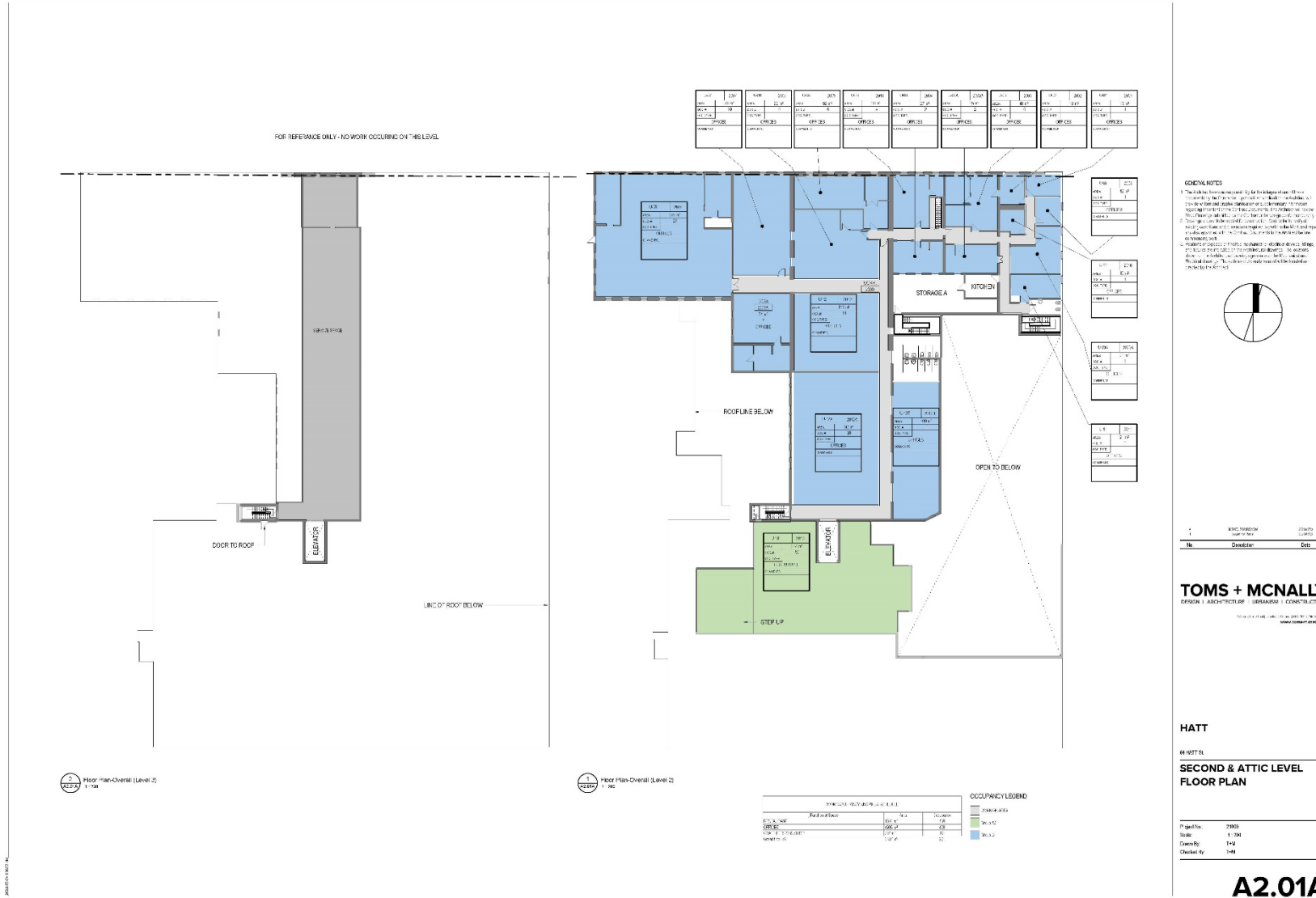


Appendix "C" to Report PED23164  
Page 1 of 2



**A2.01**

Appendix "C" to Report PED23164



**TOMS + MCNALLY**  
 DESIGN | ARCHITECTURE | INTERIORS | CONSTRUCTION

**HATT**

64 HOTT ST.  
**SECOND & ATTIC LEVEL FLOOR PLAN**

Project No. 2000  
 Scale: 1/8" = 1'-0"  
 Owner: T&E  
 Designer: HNTB

**A2.01A**

**Appendix “D” to Report PED23164**  
**Page 1 of 1**

**Site Specific Modifications to the Conservation/Hazard Land (P5) Zone and Mixed Use Medium Density (C5) Zone**

<b>Regulation</b>	<b>Required</b>	<b>Modification</b>	<b>Analysis</b>
Section 7.5: Conservation/Hazard Land (P5) Zone	<p>No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Conservation/Hazard Land (P5) Zone for any purpose other than one or more of the following uses or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:</p> <p>7.5.1 PERMITTED USES            Conservation            Flood and Erosion Control Facilities            Recreation, Passive</p>	<p>In addition to Section 7.5, the building existing on the date of passing of this By-law shall be permitted and no further additions or expansions to the existing building shall be permitted in the Conservation/Hazard (P5) Zone and the uses therein shall be permitted in accordance with Sections 10.5.1, 10.5.1.1, and 10.5.2.</p>	<p>The existing building is encroaching into the existing Open Space – Conservation Zone (OS) which is being rezoned to the Conservation/Hazard Land (P5) Zone. Since the building and site layout existed prior to the adoption of Zoning By-law No. 05-200, the proposed modification can be supported recognizing an existing situation.</p>
Section 10.5.3: Regulations	<p>The regulations required for a development are setback from all property lines, building height, gross floor area, amenity, planting strip, visual barriers, and, outdoor storage.</p>	<p>Notwithstanding Section 10.5.3, no further additions or expansions to the existing buildings shall be permitted.</p>	<p>The intent of the Zoning By-law Amendment application is to support adaptive reuse of the existing buildings to permit commercial uses such as restaurants, retail, and offices that serves the community. Staff are supportive of the proposed modification.</p>



Hamilton  
Conservation  
Authority

A Healthy Watershed for Everyone

## BY E-MAIL

November 9, 2023

ZAC-22-044

Lisa Kelsey  
Legislative Coordinator  
Planning Committee  
City of Hamilton  
City Hall, 71 Main Street West, 1<sup>st</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Kelsey:

**Re: Notice of Public Meeting of the Planning Committee  
Zoning By-law Amendment Application by 64 Hatt St Investments Inc. (c/o  
Forge & Foster) for Lands Located at 64 Hatt Street, Dundas (Ward 13)**

The Hamilton Conservation Authority (HCA) is in receipt of the Notice of Public Meeting of the Planning Committee on November 14, 2023 in regards to the Zoning By-law Amendment (ZBA) application by 64 Hatt St Investments Inc. (c/o Forge & Foster) for Lands Located at 64 Hatt Street, Dundas. HCA understands the purpose of this application is to rezone the subject lands from the General Industrial (I.G) Zone to a modified Mixed Use Medium Density (C5, H156) Zone and from Open Space – Conservation Zone (OS), and Open Space – Conservation Zone (OS/S-7) to the Conservation/Hazard Land (P5, 863) Zone. The effect of this zoning change would allow the adaptive reuse of the existing building by permitting commercial uses within the existing industrial building.

HCA has provided earlier comments on the proposed ZBA application in a letter dated August 26, 2022. In those comments HCA identified concerns with the proposed change in land use given the property is affected by flooding and erosion hazards associated with Spencer Creek. Provincial policy (PPS) generally directs *development* to areas outside of hazardous lands, but does provide for flexibility in some cases, including where a Special Policy Area (SPA) has been approved. The subject property is located within the Dundas Two Zone Floodplain Area (UD-1) SPA. The policies of the SPA allow for limited development and redevelopment within the flood fringe portion of the floodplain subject to providing protection from flooding through the placement of fill and/or floodproofing.

In HCA staff's opinion the proposed development (change in land use) would have to meet the requirements of the SPA to be consistent with provincial policy related to natural hazards. Given no floodproofing of the existing building has been completed, HCA suggests the proposed change in land use to allow for commercial uses in the building would be inappropriate. The floodproofing requirements should be addressed now through the land use planning process to ensure compliance with the SPA policies of the City's Official Plan and the PPS. As such, HCA requests that consideration of the ZBA application for approval be deferred until such time as this issue has been resolved.

HCA kindly requests to be notified of the decision on the proposed ZBA application.

Yours truly,



Mike Stone MA, MCIP, RPP  
Manager, Watershed Planning Services

Cc: Steve Robichaud, Chief Planner and Director of Planning, Planning & Economic Development  
Jennifer Catarino, Area Planning Manager, West Team, Planning & Economic Development  
Shaival Gajjar, Development Planner II, Planning & Economic Development

**From:** Anita Lauinger  
**Sent:** November 21, 2023 9:42 AM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** 64 hatt st /File ZAC-22-044

Good morning

My mother recently received your information regarding above location. It seemed very positive but my mother's first words after reading this notice was "What are the City planners going to be doing about parking???" I completely agreed with her and promised I'd send the City an email to ask the question.

We look forward to hearing from you on this matter.

Regards

A



WELCOME TO THE CITY OF HAMILTON

# PLANNING COMMITTEE

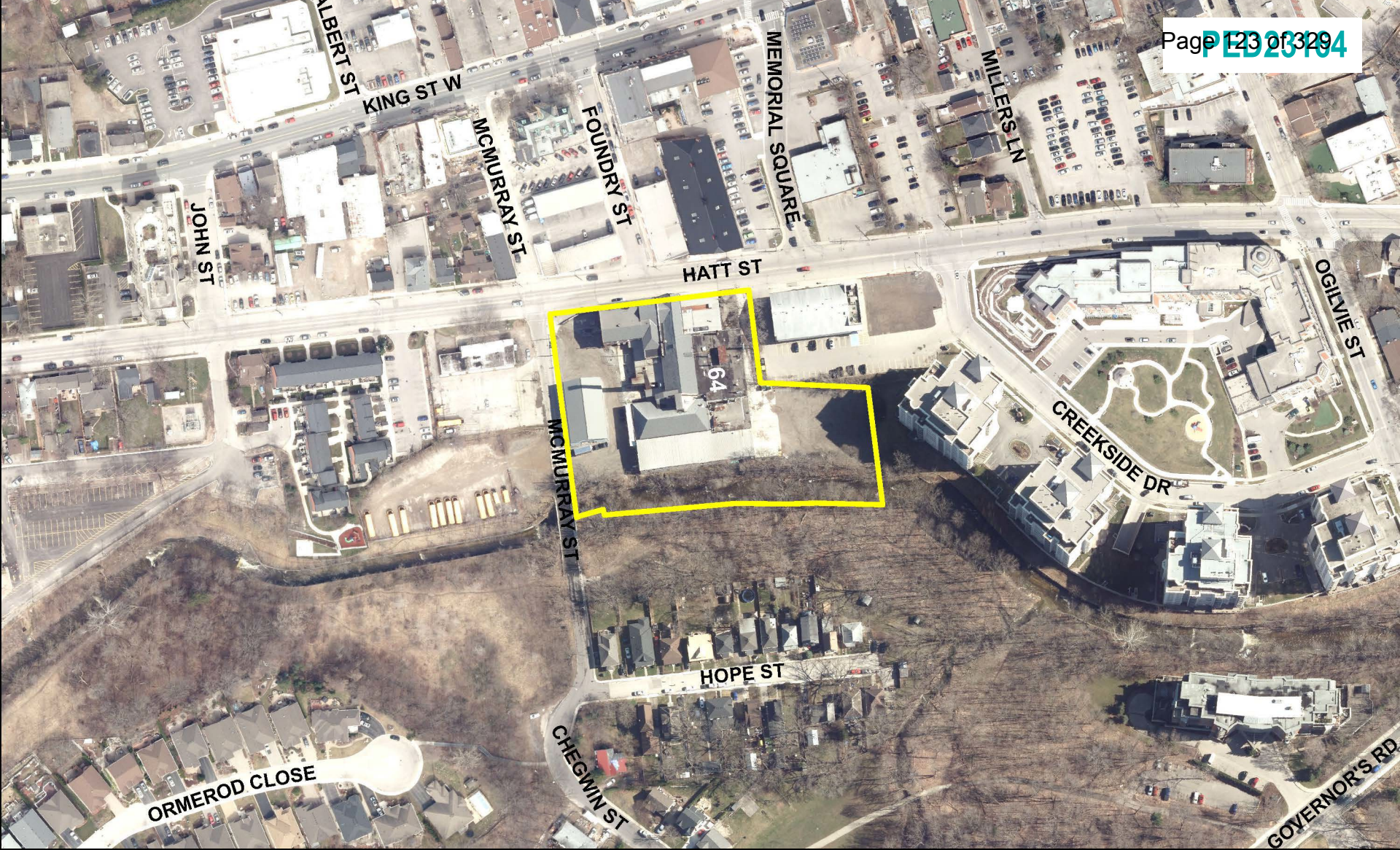
November 14, 2023

# PED23164 – (ZAC-22-044)

Application for a Zoning By-law Amendment for Lands Located at  
64 Hatt Street, Dundas.

Presented by: Shaival Gajjar





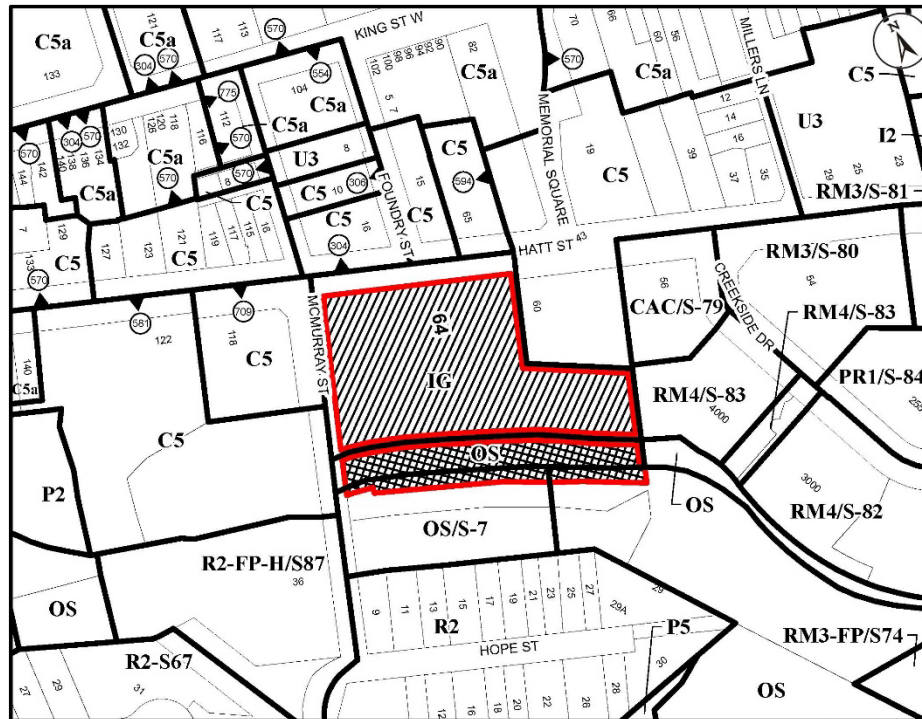
SUBJECT PROPERTY



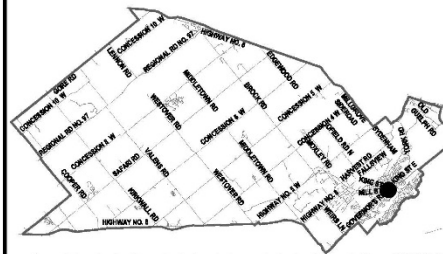
64 Hatt Street, Dundas







● Site Location



Key Map - Ward 13

## Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-22-044

Date:  
October 19, 2023



Appendix "A"

Scale:  
N.T.S.

Planner/Technician:  
SG/NB

### Subject Property

64 Hatt Street, Dundas (Ward 13)

-  Lands to be added as Mixed Use Medium Density (C5, 863, H156) Zone
-  Lands to be added as Conservation/Hazard Land (P5, 863) Zone



**GENERAL NOTES**

1. The plan is based on the latest available information. It is subject to change without notice.
2. The plan is based on the latest available information. It is subject to change without notice.
3. The plan is based on the latest available information. It is subject to change without notice.
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10. The plan is based on the latest available information. It is subject to change without notice.



2  
 1/2" = 1'-0"  
 FLOOR PLAN OVERLAP (LEVEL @ 2)

1  
 1/2" = 1'-0"  
 FLOOR PLAN OVERLAP (LEVEL @ 1)

OCCUPANCY CATEGORY	
(Green)	OFFICE
(Blue)	STORAGE
(Orange)	OTHER
(Grey)	CIRCULATION

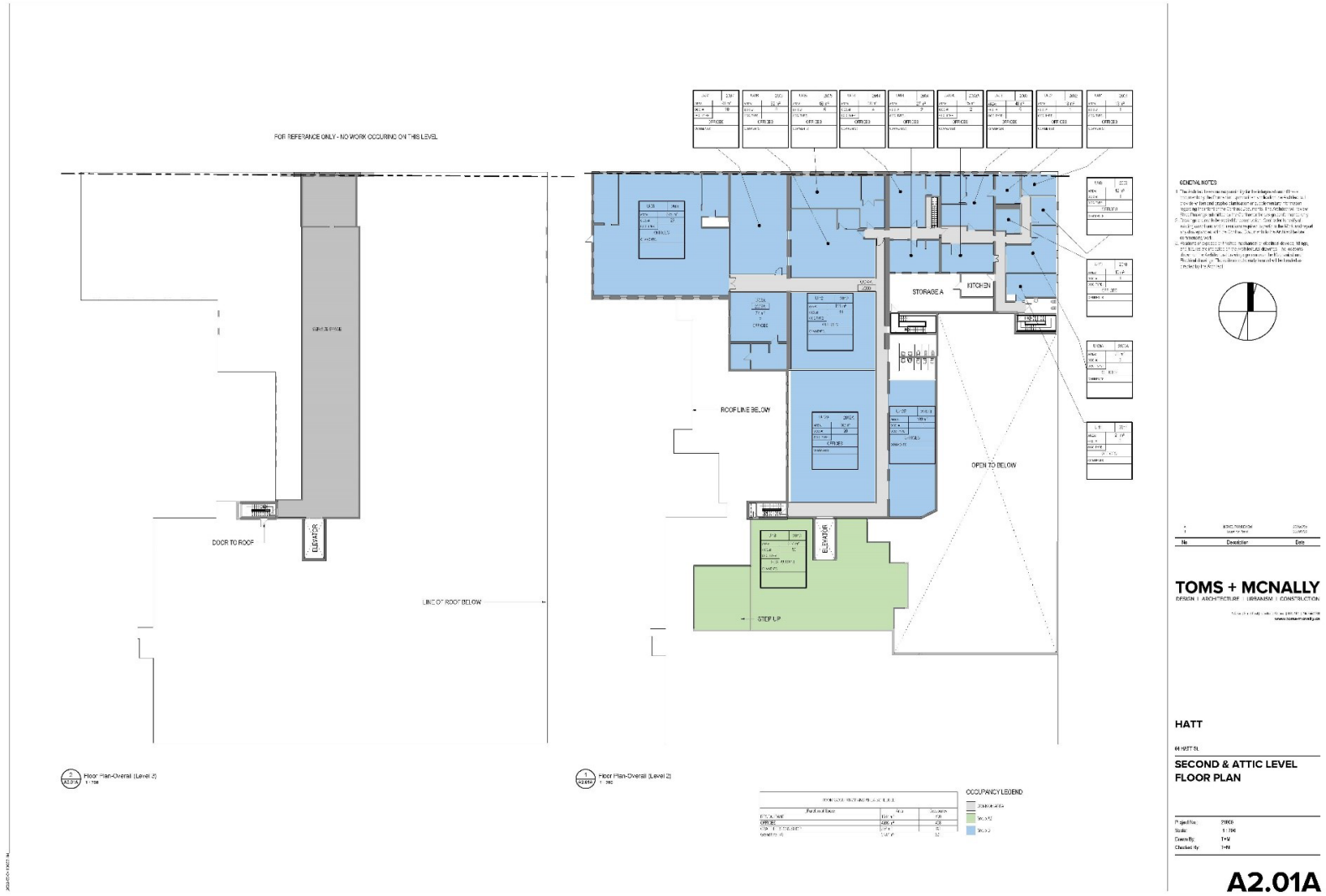
NO.	REVISION	DATE

**TOMS + MCNALLY**  
 DESIGN + ARCHITECTURE + INTERIORS + CONSTRUCTION

**HATT**  
 61-RIT-IL  
**BASEMENT & GROUND LEVEL FLOOR PLAN**

Project No. 1790  
 Date 11/20  
 Drawn By 142  
 Checked By 144

**A2.01**







Looking south west at the subject property, from Hatt St





Looking south east at the subject property, from Hatt St



Looking West at the subject property, from McMurray St



# THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE





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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	December 5, 2023
<b>SUBJECT/REPORT NO:</b>	Application for a Zoning By-law Amendment for Lands Located at 1400 Limeridge Road East, Hamilton (PED23242) (Ward 6)
<b>WARD(S) AFFECTED:</b>	Ward 6
<b>PREPARED BY:</b>	Spencer Skidmore, (905) 546-2424 Ext. 6340
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That **Zoning By-law Amendment Application ZAC-22-065 by MHBC Planning Ltd. (c/o Dave Aston and Stephanie Mirtitsch) on behalf of Valstar (Red Hill) Inc., Owner**, for a change in zoning from the "D/S-222" and "D/S-1822" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, to the "RT-20/S-1833" (Townhouse – Maisonette) District, Modified, to permit the lands to be developed for 10 additional maisonette dwellings on lands located at 1400 Limeridge Road East, as shown on Appendix "A" attached to Report PED23242, be **APPROVED** on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED23242, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at  
1400 Limeridge Road East, Hamilton (PED23242) (Ward 6) - Page 2 of  
9**

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Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan.

## **EXECUTIVE SUMMARY**

The subject property is municipally known as 1400 Limeridge Road East and is located east of Upper Kenilworth Avenue, south of Limeridge Road East and north of the Redhill Valley Parkway. The Owner has applied for a Zoning By-law Amendment to permit the development of 10 additional maisonette dwellings on the southern portion of the subject lands, which currently contain a total of 36 maisonette dwelling units and 54 parking spaces.

The existing site-specific zoning under the “D/S-222” and “D/S-1822” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, establishes a combined maximum of 105 total dwelling units on the subject lands and the lands adjacent to the west, municipally known as 1350 Limeridge Road East. The purpose of the Zoning By-law Amendment is for a change in zoning to a portion of the lands from the “D/S-222” and “D/S-1822” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, to the “RT-20/S-1833” (Townhouse – Maisonette) District, Modified, in City of Hamilton Zoning By-law No. 6593.

The proposal has merit and can be supported for the following reasons:

- It is consistent with the Provincial Policy Statement (2020);
- It conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- It complies with the Urban Hamilton Official Plan; and,
- The proposed development provides a compact built form that is compatible with the surrounding land uses in the immediate area, and represents good planning by, among other matters, increasing the supply of dwelling units, adding to the range and mix of housing types and tenures in the neighbourhood, and making efficient use of existing municipal infrastructure.

## **Alternatives for Consideration – See Page 9**

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 1400 Limeridge Road East, Hamilton (PED23242) (Ward 6) - Page 3 of 9**

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Legal: As required by the *Planning Act*, Council shall hold a Public Meeting to consider an application for an amendment to the Zoning By-law.

## HISTORICAL BACKGROUND

<b>Application Details</b>	
Owner:	Valstar (Red Hill) Inc. (c/o Ted Valeri)
Applicant:	MHBC Planning Ltd. c/o Dave Aston and Stephanie Mirtitsch
File Number:	ZAC-22-065
Type of Application:	Zoning By-law Amendment
Proposal:	<p>The purpose of the Zoning By-law Amendment is for a change in zoning for a portion of the lands from the “D/S-222” and “D/S-1822” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, to the “RT-20/S-1833” (Townhouse – Maisonette) District, Modified, in City of Hamilton Zoning By-law No. 6593.</p> <p>The effect of the application is to facilitate the development of 10 maisonette dwellings planned at the southerly portion of the subject lands. Parking for the additional dwelling units is proposed within the existing surface parking areas containing 54 spaces. The proposal would increase the unit count to a total of 46 dwelling units on the subject lands, which would be serviced by the existing 54 parking spaces.</p>
<b>Property Details</b>	
Municipal Address:	1400 Limeridge Road East
Lot Area:	1.17 hectares.
Servicing:	Existing municipal services.
Existing Use:	Two storey maisonette dwellings.
<b>Documents</b>	
Provincial Policy Statement (PPS):	The proposal is consistent with the Provincial Policy Statement (2020).

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at  
1400 Limeridge Road East, Hamilton (PED23242) (Ward 6) - Page 4 of  
9**

<b>Documents</b>	
A Place to Grow:	The proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
Official Plan Existing:	"Neighbourhoods" in the Urban Hamilton Official Plan.
Zoning Existing:	"D/S-222" and "D/S-1822" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.
Zoning Proposed:	"RT-20/S-1833" (Townhouse – Maisonette) District, Modified.
Modifications Proposed:	<p>The following modifications are being proposed to the Zoning By-law No. 6593:</p> <ul style="list-style-type: none"> <li>• To establish a maximum of 10 additional dwelling units on the subject lands;</li> <li>• To permit a minimum 4.3 metre yard abutting another lot, where there are windows to a habitable room facing the yard;</li> <li>• To permit a minimum 6.0 metre separation distance between exterior walls of buildings on the same lot, which have windows to a habitable room;</li> <li>• To remove the requirement for a privacy area for each single family dwelling unit;</li> <li>• To reduce the minimum parking requirement to 1.0 space per Class A dwelling unit for existing and proposed dwelling units;</li> <li>• To permit a minimum of 0.17 visitor spaces per Class A dwelling unit; and,</li> <li>• That no loading space shall be required.</li> </ul>
<b>Processing Details</b>	
Received:	October 20, 2022.
Deemed complete:	November 10, 2022.
Notice of Complete Application:	Sent to 146 property owners within 120 metres of the subject property on November 17, 2022.
Public Notice Sign:	Posted on November 17, 2022 and updated with the public meeting date on November 17, 2023.
Notice of Public Meeting:	Sent to 146 property owners within 120 metres of the subject property on November 17, 2023.

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at  
1400 Limeridge Road East, Hamilton (PED23242) (Ward 6) - Page 5 of  
9**

<b>Processing Details</b>	
Public Consultation:	The Applicant advised that in the event the Ward Councillor requests a neighbourhood information meeting, the Applicant would present the development proposal and answer questions of the public. Staff note that a public meeting was not requested by the Ward Councillor.
Public Comments:	Five emails were received expressing concern about the proposed Zoning By-law Amendment or requesting to be notified of the Public Meeting (attached as Appendix "F" to Report PED23242).
Processing Time:	411 days from date of receipt of the application.

### Existing Land Use and Zoning

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Townhouse (Maisonette) dwellings	"D/S-222" and "D/S-1822" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified
<b>Surrounding Land Uses:</b>		
North	Mohawk Sports Park	City Wide Park (P3) Zone
South	Single detached dwellings	Low Density Residential (R1) Zone and "D/S-222" and "D/S-1822" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified
East	Escarpment Rail Trail and single detached dwellings	Open Space (P4) Zone and "B-2/S-1822" (Suburban Agriculture and Residential, etc.) District, Modified
West	Townhouse dwellings	"D/S-222" and "D/S-1822" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at  
1400 Limeridge Road East, Hamilton (PED23242) (Ward 6) - Page 6 of  
9**

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## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Planning Policy Framework**

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (2020). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Policy Statement.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption, and subsequent Ontario Land Tribunal approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. Matters of provincial interest (e.g. efficiency of land use) are reviewed and discussed in the Official Plan analysis that follows.

As the application for Zoning By-law Amendment complies with the Urban Hamilton Official Plan it is staff's opinion that the application is:

- Consistent with Section 3 of the *Planning Act*;
- Consistent with the Provincial Policy Statement (2020); and,
- Conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

### **Urban Hamilton Official Plan**

The subject lands are identified as "Neighbourhoods" on Schedule E – Urban Structure and designated as "Neighbourhoods" on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. The subject lands are located at the northern periphery of the Trenholme Neighbourhood with Limeridge Road East being the northern boundary of the neighbourhood.

The intent of the "Neighbourhoods" designation is to permit a full range of residential dwelling types, densities and supporting uses to function as a complete community. The medium density residential category of the "Neighbourhoods" designation is characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting onto collector roads. The proposed development of the subject lands would meet the intent by developing 10 additional maisonette dwellings on a site containing 36 existing maisonette dwellings with frontage on a collector road (Limeridge Road East) in proximity to a minor arterial road (Mountain Brow Boulevard).

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at  
1400 Limeridge Road East, Hamilton (PED23242) (Ward 6) - Page 7 of  
9**

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Development within the medium density residential category of the “Neighbourhoods” designation is evaluated on the basis of the criteria outlined in Policy E.3.5.9 of the Urban Hamilton Official Plan. The development has direct access onto a collector road; that is appropriately integrated within the neighbourhood; that is a suitable size to provide adequate landscaping, amenity features, on-site parking, and buffering if required; that the height, massing, and arrangement of buildings and structures be compatible with existing and future uses in the surrounding area; and, that appropriate access be provided for both vehicles and pedestrians. The proposal has been evaluated against these criteria and conforms.

The proposal was evaluated against the residential intensification criteria of Policy B.2.4.1.4 and B.2.4.2.2. The proposal satisfies these criteria by proposing a built form that builds upon the established character, patterns and built forms of the existing neighbourhood. The proposal also contributes to the range and mix of dwelling types and tenures within the neighbourhood. Further, the proposal provides additional residential density that can be adequately serviced by existing municipal infrastructure, is located with frontage on a collector road, and is well serviced by existing transit, recreational and community service facilities.

The materials submitted by the Applicant indicate that two trees are proposed to be removed as a result of the proposed development. In accordance with Policy C.2.11.1 the City supports the protection and enhancement of trees and forests. The Applicant has since confirmed they will retain the southerly tree and committed to obtaining an arborist prior to development at the Site Plan Control stage to evaluate protection options for the northerly tree. The Applicant is required to replace any removed privately owned trees at a compensation rate of 1 to 1, which will be implemented through a Landscape Plan at the Site Plan Control stage.

Based on the foregoing, the proposal complies with the applicable policies of the Urban Hamilton Official Plan. The full review of the policies of the Urban Hamilton Official Plan is attached as Appendix “D” to Report PED23242.

### **Zoning By-law No. 6593**

The proposed Zoning By-law Amendment is for a change in zoning from the “D/S-222” and “D/S-1822” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified to the “RT-20-S/1833” (Townhouse – Maisonette) District, Modified. The effect of this Zoning By-law Amendment will permit development of 10 additional maisonette dwellings on the subject lands. Modifications to the “RT-20” District are required to facilitate the development and are summarized in the report Fact Sheet above and further discussed in Appendix “D” attached to Report PED23242.

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 1400 Limeridge Road East, Hamilton (PED23242) (Ward 6) - Page 8 of 9**

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**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The proposal has merit and can be supported for the following reasons:
  - a. It is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - b. It complies with the general intent and purpose of the Urban Hamilton Official Plan, in particular, the function, scale and design of the “Neighbourhoods” designation, residential intensification, medium density residential and urban design policies; and,
  - c. The proposal is compatible with the surrounding uses in the immediate area, and represents good planning by, among other matters, providing a compact and efficient urban form along a collector road that adds to the range of housing types and tenures by introducing a multiple dwelling built form on lands where the use already exists to support the development of a complete community.
  
2. The subject lands are zoned the “D/S-222” and “D/S-1822” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, in Zoning By-law No. 6593. The Zoning By-law Amendment proposes to change the zoning to the “RT-20/S-1833” (Townhouse – Maisonette) District, Modified, as outlined in the Report Fact Sheet on page 4.

Staff are satisfied that the proposed Zoning By-law Amendment complies with the “Neighbourhoods” designation policies, in particular the criteria outlined in Policy E.3.5.9 for medium density residential development, as the proposal:

- Is located on a parcel with frontage on a collector road;
- Is appropriately integrated within the neighbourhood with respect to density, design, and physical and functional considerations;
- Provides an appropriate amount of landscaping, amenity area, and on-site parking;
- Is compatible with surrounding development in terms of height, massing and arrangement of structures; and,
- Provides adequate pedestrian and vehicular access to the property.

Therefore, staff support the proposed Zoning By-law Amendment.



**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at  
1400 Limeridge Road East, Hamilton (PED23242) (Ward 6) - Page 9 of  
9**

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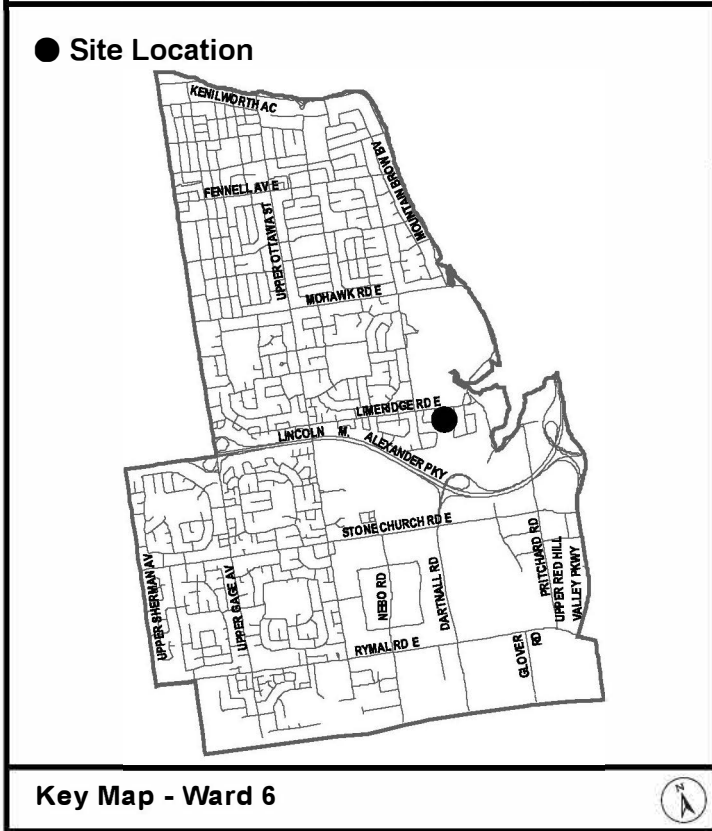
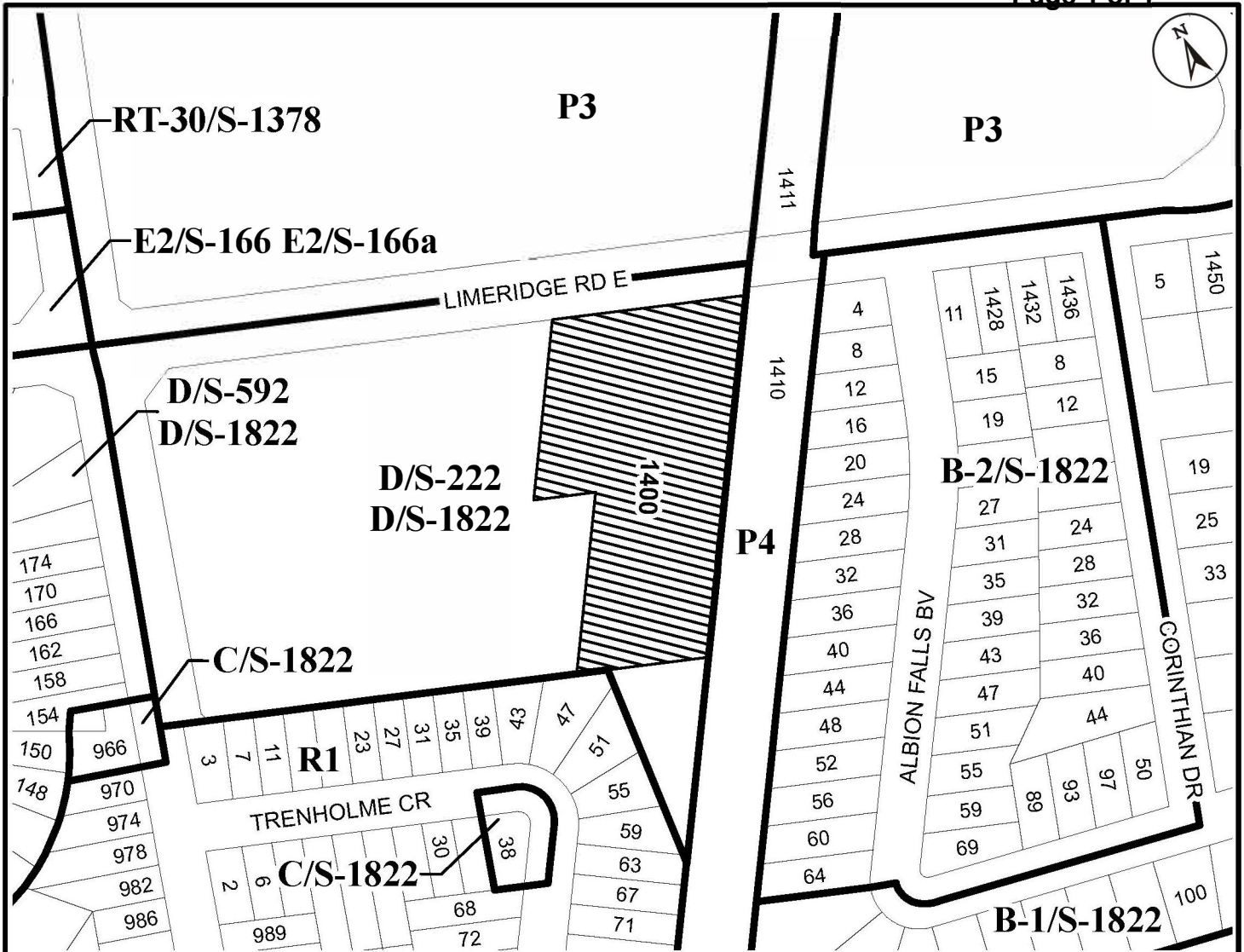
## **ALTERNATIVES FOR CONSIDERATION**

Should the application be denied, the subject property can be used in accordance with the “D/S-222” and “D/S-1822” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, in Zoning By-law No. 6593.


## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED23242 – Location Map  
Appendix “B” to Report PED23242 – Amending By-law to Zoning By-law No. 6593  
Appendix “C” to Report PED23242 – Concept Plan  
Appendix “D” to Report PED23242 – Zoning Modification Table  
Appendix “E” to Report PED23242 – Policy Review  
Appendix “F” to Report PED23242 – Public Comments  
Appendix “G” to Report PED23242 – Staff and Agency Comments

SS:sd



## Location Map


  
 Hamilton

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**

File Name/Number: ZAC-22-065	Date: September 11, 2023
<b>Appendix "A"</b>	Scale: N.T.S.
Planner/Technician: AB/AL	

**Subject Property**

1400 Limeridge Road East

 Change in zoning from the "D/S-222" and "D/S-1822" (Urban Protected Residential – One and Two Family Dwellings etc.) District, Modified, to the "RT-20/S-1833" (Townhouse – Maisonette) District, Modified.

**Appendix “B” to Report PED23242  
Page 1 of 4**

**Authority:** Item XX, Planning Committee  
Report (PED23242)  
CM:  
Ward: 6

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

**To amend Zoning By-law No. 6593 with respect to lands located at 1400 Limeridge Road East, Hamilton**

**WHEREAS** the *City of Hamilton Act*, 1999, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as “The Corporation of the City of Hamilton”, and is the successor of the former Regional Municipality, namely, “the Regional Municipality of Hamilton-Wentworth”;

**AND WHEREAS** the *City of Hamilton Act*, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

**AND WHEREAS** the Council, in approving Item \_\_\_ of Report \_\_\_ of the Planning Committee, at its meeting held on the 5th day of December, 2023, recommended that Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan;

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

1. That Sheet No. E69b of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from the “D/S-222” and “D/S-1822” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, to the “RT-20/S-1833” (Townhouse – Maisonette) District, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

**Appendix "B" to Report PED23242**  
**Page 2 of 4**

2. That the "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:
  - a) Notwithstanding Section 10E.(4)(b), a minimum westerly side yard having a width or depth no less than 4.3 metres where there are windows to a habitable room facing the yard.
  - b) Notwithstanding Section 10E.(5)(b) and Section 10E.(5)(c), a minimum distance not less than 6.0 metres between two exterior walls for buildings on the same lot, which contain windows to a habitable room.
  - c) Notwithstanding Section 10E.(8), a privacy area shall not be required for each single family dwelling unit.
  - d) Notwithstanding Section 18A(1)(a) and Section 18A – Table 1, a minimum 1.0 space per Class A dwelling unit shall be provided for a townhouse dwelling and maisonette dwelling.
  - e) Notwithstanding Section 18A(1)(b) and Section 18A – Table 2, a minimum 0.17 spaces per Class A dwelling unit shall be provided in addition to the parking spaces required for each townhouse dwelling and maisonette dwelling in subsection d), above.
  - f) Notwithstanding Section 18A (1)(c) and Section 18A – Table 3, no loading space shall be required.
  - g) That in addition to the dwelling units existing on the subject lands at the date of passing of this by-law, a maximum of 10 additional maisonette dwelling units shall be permitted.
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 "RT-20" District, subject to the special requirements referred to in Section 2 of this By-law.
4. That Sheet No. E69b of the District Maps is amended by marking the lands referred to in Section 1 of the By-law as "RT-20/S-1833" District.
5. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1833.
6. 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*.

**Appendix "B" to Report PED23242**  
**Page 3 of 4**

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023

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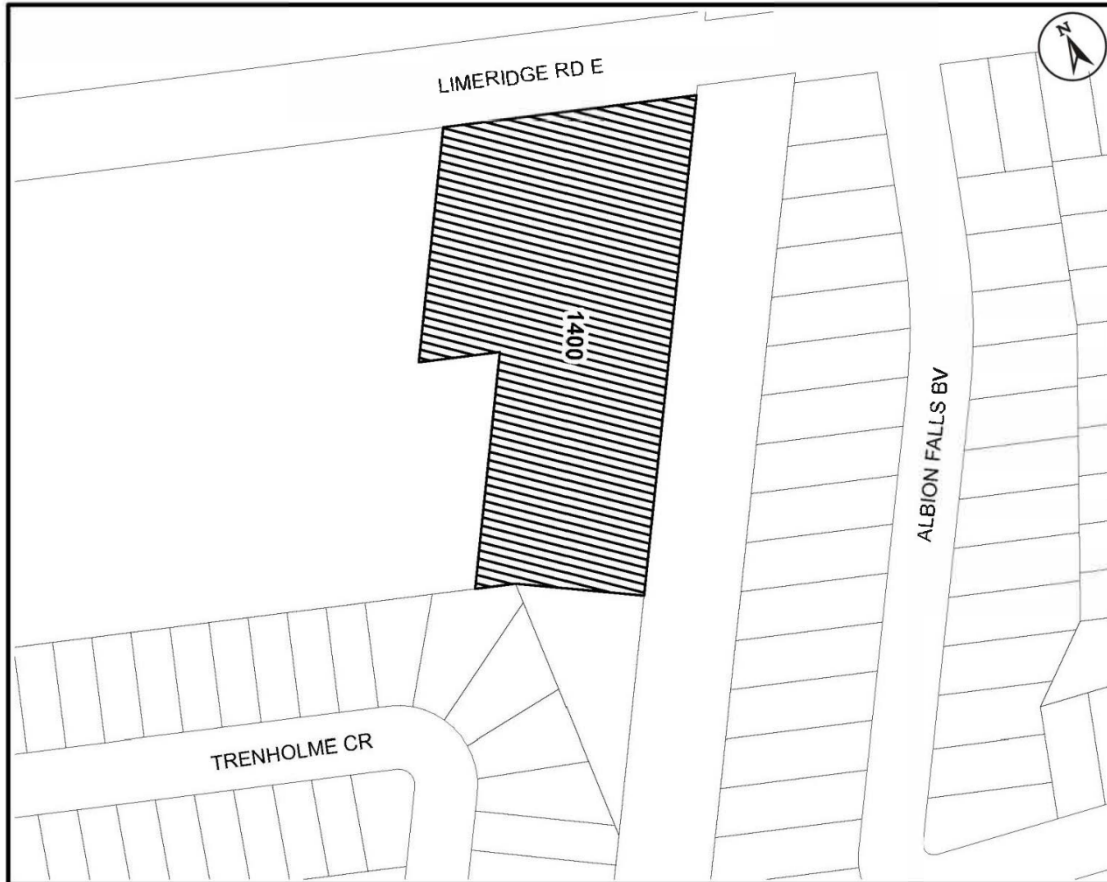
A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-22-065

**Appendix "B" to Report PED23242**  
**Page 4 of 4**



<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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<p><b>Schedule "A"</b></p> <p><b>Map forming Part of</b></p> <p><b>By-law No. 23- _____</b></p> <p><b>to Amend By-law No. 6593</b></p>	<p><b>Subject Property</b></p> <p>1400 Limeridge Road East, Hamilton</p> <p> Change in zoning from the "D-S/222" and "D-S/1822" (Urban Protected Residential - One And Two Family Dwellings, Etc.) District, Modified, to the "RT-20/S-1833" (Townhouse – Maisonette) District, Modified.</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-22-065</p>	<p><b>Hamilton</b></p>
<p>Date: November 22, 2023</p>	<p>Planner/Technician: AB/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



# CONCEPT PLAN

1400 Limeridge Rd E  
 City of Hamilton

 Subject Lands 11,684m<sup>2</sup> (1.16ha)

Proposed Zoning: Townhouse with Special Provisions (RT-20-xx)		
	Permitted/Required	Provided
Lot Area	230m <sup>2</sup>	11,684m <sup>2</sup>
Lot Depth	30.0m	150.9m
Lot Width	23.0m	80.7m
Frontage	23.0m	80.7m
Units	n/a	Existing: 36 Proposed: 10 Total: 46
Density	n/a	39.37 upha
Building height	11.0m	8.36m
Area Requirement (where a yard abuts a street)	6.0m	9.26m (Limeridge Road E)
Area Requirement (yard abutting any other lot)	3.0m, except where there are windows to a habitable room facing the yard, 6.0m	4.35m
Distance Between Buildings (distance of two exterior walls containing no windows)	3.5m	6.83m
Distance Between Building (distance of two exterior walls, one of which contains at least one window to a habitable room)	9.0m	6.83m
Distance Between Buildings (distance between two exterior walls each of which contains at least one window to a habitable room)	15.0m	6.83m
Privacy Area for Each Unit that is screened on two sides	1.2m, and not more than 2m in height	x
Privacy Area Depth	2.5m	x
Landscapes Area	40.0%	65.9%
Number of Attached Units (max.)	16 units	12 units
Loading spaces	1	0
Parking	Residential: 1.5 spaces per unit (69 spaces)	54 (existing)
	Visitor: 0.3 spaces per unit (14 spaces)	
	Total: 63	

Building Coverage (2,061.8 m<sup>2</sup>) 17.6%  
 Landscaped Area (7,699.6 m<sup>2</sup>) 65.9%  
 'Hard Surface' Area (1,922.6 m<sup>2</sup>) 16.5%  
 Total (11,684 m<sup>2</sup>) 100.0%

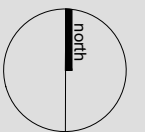
NOTES:  
 - All dimensions are in metres unless otherwise noted.  
 - Boundary and topographical survey information provided by A.T. McLaren Ltd., Land Surveyor.

DATE: September, 2023

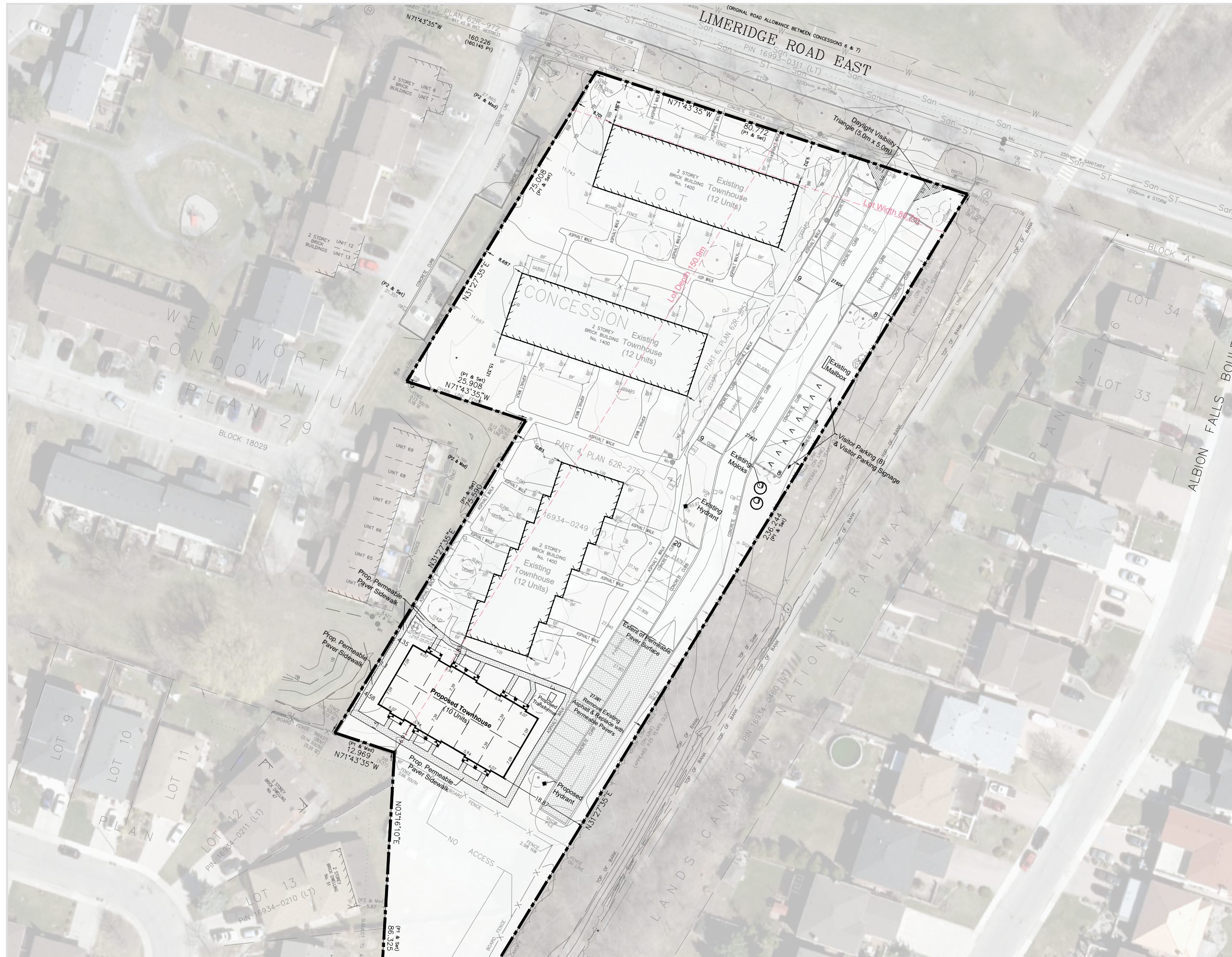
FILE: 20348F

SCALE 1:750

DRAWN: GC



K:\20348F- LIMERIDGE\CP\1\_SEP20\_2023.DWG









**Appendix “D” to Report PED23242**  
**Page 1 of 3**

**Site Specific Modifications to the "RT-20/S-1833" (Townhouse – Maisonette) District, Modified**

Regulation	Required	Modification	Analysis
Section 10E.(4)(b)	Where a yard abuts any other lot, a width or depth of not less than 3.0 metres, except where there are windows to a habitable room facing the yard, the width or depth of such yard shall not be less than 6.0 metres (19.69 feet).	A minimum westerly side yard having a width or depth no less than 4.3 metres where there are windows to a habitable room facing the yard.	<p>The intent of the interior yard setback regulation is to ensure privacy and sunlight is maintained and ensure appropriate separation distance between townhouse dwellings. The westerly building elevations for the proposed maisonette dwelling contains ground floor windows. The modified westerly side yard requirement maintains the same intended purpose of providing appropriate separation from the abutting lot and preserving privacy, while permitting a more compact built form.</p> <p>Staff support the modification.</p>
Section 10E.(5)(b)	A distance not less than 9.0 metres (29.53 feet) between two exterior walls, one of which contains at least one window to a habitable room.	A minimum distance not less than 6.0 metres between two exterior walls for buildings on the same lot, which contain windows to a habitable room.	<p>The intent of the building distance separation regulation is to allow for adequate access to sunlight, suitable space for soft landscaping and to maintain privacy between dwelling units. The modified building separation requirements maintain the same intended purpose while permitting a more compact built form. The lands exceed the minimum landscaping requirement and staff are satisfied that privacy and adequate access to sunlight are being preserved.</p> <p>Staff support the modification.</p>
Section 10E. (5)(c)	A distance of not less than 15.0 metres (49.21 feet) between two exterior walls each of which contains at least one window to a habitable room.		

**Appendix “D” to Report PED23242**  
**Page 2 of 3**

Regulation	Required	Modification	Analysis
Section 10E. (8)	In an "RT-20" District, there shall be provided and maintained a privacy area for each single family dwelling unit that, (a) is screened on two sides by means of a screen that is not less than 1.2 metres (3.94 feet) and not more than 2.0 metres (6.56 feet) in height; and, (b) is not less than 2.5 metres (8.20 feet) in depth.	A privacy area shall not be required for each single family dwelling unit.	The proposed maisonette dwellings include a second storey balcony above the front porch that will provide a private amenity area for the exclusive use of future residents. Furthermore, the subject lands contain a landscaped area (65.9%) that can be utilized as amenity area for future residents.  Staff support the modification.
None	None	That in addition to the dwelling units existing on the subject lands at the date of passing of this by-law, a maximum of 10 additional maisonette dwelling units shall be permitted.	This site-specific provision restricts the development to no more than 10 additional dwelling units in order to mitigate potential downstream impacts in the Red Hill Valley sanitary trunk system, as requested by Development Engineering.  Staff support the modification.
Section 18A (1)(a) and Section 18A – Table 1	1.5 spaces per Class A dwelling unit for townhouse dwellings and maisonette dwellings.	A minimum 1.0 space per Class A dwelling unit shall be provided for each of the townhouse and maisonette dwellings.	The proposal accommodates the required parking for the proposed additional units within the existing surface parking areas on the subject lands. A total of 54 parking spaces are provided (inclusive of resident and visitor parking), which

**Appendix “D” to Report PED23242**  
**Page 3 of 3**

Regulation	Required	Modification	Analysis
Section 18A (1)(b) and Section 18A – Table 2	townhouse dwelling and maisonette dwellings require 0.30 of a space per Class A dwelling unit	A minimum 0.17 spaces per Class A dwelling unit shall be provided in addition to the parking spaces required for each of the townhouse dwellings and maisonette dwellings.	<p>provides a parking rate of 1.17 parking spaces per unit for residents and visitors. The Applicant has confirmed that the current parking space utilization for the existing townhouse dwellings is 0.7 spaces per unit. The proposed 1 space per unit, plus 0.17 visitor spaces per unit exceed this existing utilization rate.</p> <p>The proposed parking rate is consistent with the requirement under the City’s Comprehensive Zoning By-law No. 05-200, which requires a parking rate of 1 space per unit.</p> <p>Staff are satisfied the proposal provides sufficient resident and visitor parking to accommodate the addition of 10 maisonette dwellings. The proponent will be required to identify visitor parking areas on-site.</p> <p>Staff support these modifications.</p>
Section 18A (1)(c) and Section 18A – Table 3	A minimum of 1 loading space measuring Length: 18.0 metres (length), 3.7 metres (width) and 4.3 metres (height) where a site contains between 30 to 100 dwelling units.	No loading space shall be required.	<p>It is the opinion of staff that a loading space is not required as the existing townhouse development has operated for several decades without a dedicated loading space. The addition of 10 maisonette dwelling units is unlikely to result in the need for a loading space.</p> <p>Staff support the modification.</p>

**Appendix “E” to Report PED23242**  
**Page 1 of 3**

## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Residential Intensification in the “Neighbourhoods” Designation</b></p> <p>Policies B.2.4.2.2</p>	<p>Residential intensification within the “Neighbourhoods” designation shall consider matters such as, but not limited to: compatibility with adjacent land uses; relationship with nearby buildings and lot patterns; transitions in height/density; provision for amenity space and on-site parking; the complementing of existing neighbourhood form and function; and, servicing infrastructure and transportation capacity impacts.</p>	<p>The proposal maintains the relationship with nearby residential buildings in terms of density and scale by providing maisonette townhouse dwellings on an underutilized portion of an established townhouse site. The proposal also complements the existing function of the neighbourhood by providing a multiple dwelling form with access to a collector road (Limeridge Road East). The proposal is compatible with existing and future development from a massing, height, density, shadowing, overlook and privacy perspective.</p> <p>The proposal exceeds the by-law minimum with respect to landscaped area and provides a sufficient amount of on-site parking. The proposal will further optimize municipal infrastructure by making use of existing infrastructure to intensify the subject lands. The proposal has been reviewed from a servicing infrastructure and transportation capacity perspective and was deemed to be appropriate.</p>
<p>Policy B.3.3.1.5</p>	<p>Ensure that new development is compatible with and enhances the character of the existing environment and locale.</p>	<p>The proposal is compatible with the character of the existing site and surrounding neighbourhood as a continuation of the established townhouse dwellings on the subject lands.</p>

## Appendix “E” to Report PED23242

## Page 2 of 3

Theme and Policy	Summary of Policy or Issue	Staff Response
B.3.3.9.4	Landscaped walkways shall be provided along buildings, particularly in areas with high levels of pedestrian traffic. Walkways shall be connected to other pedestrian routes on the site and linked to pedestrian entry points at the street, and where appropriate to adjacent developments.	The proposal provides a continuous pedestrian walkway to the entrances of the proposed maisonette dwellings with appropriate linkages to Limeridge Road East and the balance of the lands.
<b>Tree Protection</b> Policy C.2.11.1	The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.	The materials submitted by the Applicant indicate that two trees are proposed to be removed as a result of the proposed development. The Applicant has since confirmed they will retain the southerly tree and committed to obtaining an arborist prior to development to evaluate protection options for the northerly tree. The Applicant is required to replace any removed privately owned trees at a compensation rate of 1 to 1. This will be implemented through a Landscape Plan at the Site Plan Control stage.
<b>Infrastructure</b> Policy C.5.3.6	All new development and redevelopment within the urban area shall be connected to the City’s water and wastewater system.	The subject lands have adequate capacity in the local wastewater and water systems to accommodate the addition of 10 maisonette dwelling units. Staff have included a site-specific provision within the amending zoning by-law restricting development to a maximum of 10 additional dwelling units on the subject lands. This will mitigate potential downstream sanitary sewer impacts due to constraints in the Red Hill Valley Trunk system located downstream of the subject lands.
<b>Neighbourhoods Designation</b>  Policy E.3.2.1 E.3.2.3 and E.3.2.4	The existing character of “Neighbourhoods” designated areas shall be maintained. Development within the “Neighbourhoods” designation shall be compatible with the scale and character of existing development. “Neighbourhoods” shall function as complete communities including the full range of dwelling types and densities.	The proposal contributes to the function of a complete community by providing opportunities for a full range of dwelling types, tenures and densities that is in keeping with the character of the surrounding neighbourhood. The proposal provides a compact built form in close proximity to community service facilities, transit routes and public recreational areas.

**Appendix “E” to Report PED23242**  
**Page 3 of 3**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Medium Density Residential</b></p> <p>Policy E.3.5.1</p>	<p>Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.</p>	<p>The proposed maisonette dwellings are considered a multiple dwelling and the subject lands have frontage on a collector road (Limeridge Road East) in proximity to a minor arterial road (Mountain Brow Boulevard).</p>
<p><b>Medium Density Residential – Development Criteria</b></p> <p>Policy E.3.5.9</p>	<p>Medium density residential development is evaluated based on: having direct access onto a collector road; being appropriately integrated within the neighbourhood; being of a suitable size to provide adequate landscaping, amenity features, on-site parking, and buffering if required; being of a compatible height, massing, and arrangement of buildings and structures with existing and future uses in the surrounding area; and, having appropriate access for both vehicles and pedestrians.</p>	<p>The subject lands have direct access onto a collector road and the proposal is appropriately integrated into the existing development and surrounding neighbourhood in terms of height, massing and arrangement of buildings. The proposal provides an appropriate amount of landscaping, amenity area, and surface parking. The Concept Plan submitted also demonstrates appropriate vehicular access and pedestrian circulation.</p>

## Appendix “F” to Report PED23242

Page 1 of 9

## SUMMARY OF PUBLIC COMMENTS RECEIVED

Comment Received	Staff Response
<p>The subject property encroaches onto the existing City-owned rail trail and natural buffers.</p>	<p>Based on the survey provided by the applicant, the proposed development does not encroach onto the existing City-owned rail trail. The proposed development is located on the western side of the lands, away from the rail trail.</p>
<p>Proposed townhouse dwellings will impact surrounding areas and is not suitable for the surrounding area.</p>	<p>The proposed maisonette dwellings are similar to those already existing on the subject lands and would constitute an intensification of the existing use, which has compatibly existing for many years. Staff do not anticipate any undue adverse impacts being generated by the proposed development.</p>
<p>The proposal will generate a parking demand in the surrounding areas. The existing parking areas are fully utilized by residents of the pre-existing townhouse development.</p>	<p>The proponent submitted a parking management letter, which outlines how parking will be managed on-site with existing and future residents. The Applicant has reported that the current parking utilization rate is approximately 0.7 spaces per unit. The proposed parking rate of 1 space per unit plus an additional 0.17 visitor parking spaces per unit is consistent with the requirements under the City's new comprehensive Zoning By-law No. 05-200 for such a use. The proposal does not remove any of the existing parking spaces through the redevelopment of the lands and no new parking spaces are proposed, as the existing parking is considered sufficient to service both the existing and proposed dwelling units. Staff are satisfied an appropriate amount of parking is being provided.</p> <p>The subject lands are also well serviced by public transit and active transportation networks, reducing the reliance of future residents on the personal automobile, and thus a parking space.</p>
<p>Public seeking to be notified of Statutory Public Meeting.</p>	<p>The public notification was sent to landowners within 120 metres of the subject lands, and members of the public requesting to be notified of the Public Meeting date.</p>

## Appendix "F" to Report PED23242

Page 2 of 9

Comment Received	Staff Response
<p>The southerly lands are subject of a Superior Court decision in favour of the owners of the lands fronting onto Trenholme Crescent that back onto the subject lands. The southerly lands are to be dedicated to the owners of Trenholme Crescent.</p>	<p>Staff note the southerly portion of the subject lands are under ownership of Valery Construction Ltd. but are intended to be conveyed to the property owners at Trenholme Crescent, in accordance with the Superior Court Decision. In response, staff have amended the application to exclude the southerly lands subject to the court decision from the Zoning By-law Amendment application. The Applicant was agreeable to this approach.</p> <p>The rear portions of the Trenholm Crescent single detached lots may be rezoned to an appropriate residential zone through a staff-initiated Zoning By-law Amendment in the future through the City's Residential Zoning Project in Zoning By-law No. 05-200.</p>



**COPY OF PUBLIC COMMENTS RECEIVED**

**Appendix "F" to Report PED23242**  
**Page 4 of 9**

BY EMAIL TO [aminu.bello@hamilton.ca](mailto:aminu.bello@hamilton.ca)

CITY OF HAMILTON  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton ON. L8P 4Y5

Attention: Aminu Bello

Dear Mr. Bello,

RE: **VALERI CONSTRUCTION LTD. | C/O AMBER LINDSAY**  
**1400 LIMERIDGE ROAD EAST, HAMILTON ON. (WARD 06)**  
**File No. ZAC-22-065**

Thank you for your letter dated November 17, 2022. Please note that I have resided at my property (51 Trenholme Crescent, Hamilton) since 1986. I am a real estate agent, builder and developer. Thus, I am naturally very pro-development. However, respectfully, this proposal made by Valeri Construction ("the proposal") should be re-worked as it does not appear to conform to the principle of "smart development."


The proposal backs on to my property. Accordingly, I will be immediately impacted by the proposal, should it proceed. There is currently a natural buffer in place, and enough parking for the existing tenants, and therefore, to disturb the status quo would be significant. Thus, a new proposal needs to think these issues through carefully.

These are the main issues that I see:

1. The proposal as it stands unreasonably encroaches upon the pre-existing natural buffers and the rail trail. There have been pre-existing setbacks in place for decades for a simple underlying reason – they are required. The proposal seeks to encroach upon this.
2. The number of units proposed will be significantly backing unto my lands and property, and will drastically disturb the surrounding area as a result.
3. I believe that the density is not suitable to the location, given that there is a conservation area and a rail trail, to which the proposal would not only abut, but encroach upon.

I have attached numerous pictures hereto that I took at 6:30AM on a weekend, from the back of my property. You will note that the parking lot is completely full of vehicles of the current inhabitants of the development there now. By eradicating the parking lot in favour of the proposal, this will create an immediate demand for parking spots that will no longer exist or be accessible. Moreover, the parking lot will encroach upon pre-existing natural buffers. In conclusion, respectfully, the proposal does not conform to being a smart development. My neighbours concur with me on this, mainly for the reasons outlined herein.

Yours truly,



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**Appendix "F" to Report PED23242**  
**Page 6 of 9**

----- Original message -----

From: "Bello, Aminu" <Aminu.Bello@hamilton.ca>

Date: 2022-12-04 15:49 (GMT-05:00)

To: [REDACTED]

Subject: RE: file no ZAC-22-065 zoning change for 1400 Limeridge Rd E

Hi [REDACTED]

The public meeting date has not been assigned. I can provide you an update once a tentative date is available.

Regards,

**Aminu Bello**, MCIP RPP  
Planner I – Suburban Team  
Planning & Economic Development Dept.  
Planning Division, City of Hamilton  
(905) 546-2424 Ext. 5264



**Hamilton** The City of Hamilton encourages physical distancing, wearing a mask in an enclosed public space, and increased handwashing. Learn more about the City's response to COVID-19 [www.hamilton.ca/coronavirus](http://www.hamilton.ca/coronavirus).

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**From:** [REDACTED]

**Sent:** Friday, December 2, 2022 9:38 PM

**To:** Bello, Aminu <Aminu.Bello@hamilton.ca>

**Subject:** file no ZAC-22-065 zoning change for 1400 Limeridge Rd E

Hi, would you kindly send me the date and time of the public meeting for this file? thank you

**Appendix "F" to Report PED23242**  
**Page 7 of 9**

**From:** [REDACTED]  
**To:** [Bello, Aminu](#)  
**Subject:** RE: 1400 Limeridge Rd E  
**Date:** Thursday, January 12, 2023 5:20:31 AM  
**Attachments:** [image004.png](#)  
[image006.png](#)

---

Aminu,

Requesting clarification on this statement: "This internal/external review is now complete". At what stage will you be involving residents of the area in this process?

Thank you,

[REDACTED]

Appendix "F" to Report PED23242  
Page 8 of 9

**From:** [REDACTED]  
**To:** [Bello, Aminu](#)  
**Subject:** File# ZAC-22-065  
**Date:** Monday, December 12, 2022 3:03:09 PM

---

My name is [REDACTED] and I live at [REDACTED]  
On the proposed amendment it shows that T..Valeri construction has the land behind 47,51,55,59 and a small portion behind my property [REDACTED]  
I far as I'm aware T.Valeri took the home owners to court claiming the land was there's but the judge ruled in favour of the home owners twice.  
How then does it show this land in his admendment.  
Thanks  
Steve

**Appendix "F" to Report PED23242**  
**Page 9 of 9**

**From:** [REDACTED]  
**To:** [Bello, Aminu](#)  
**Subject:** ZAC - 22 -065 T. Valeri Construction Ltd - 1400 Limeridge Road East, Hamilton (the "Subject Property")  
**Date:** Thursday, December 22, 2022 4:04:52 PM  
**Attachments:** [Judgment.PDF](#)  
[Annotated Concept Plan\\_1400 Limeridge.PDF](#)

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Good afternoon,

We are counsel for [REDACTED] the owners of [REDACTED] Hamilton, Ontario (the "Fingland Raven Property"). Mr. Fingland and Ms. Raven have received correspondence dated November 17, 2022 regarding the proposed By-Law amendment of the 1400 Limeridge Road East property, which abuts the Fingland/Raven Property. We write to provide written comments on the proposed Zoning By-law Amendment Application.

We are advised that the City is aware of a decision of the Ontario Superior Court of Justice regarding a portion of the lands at issue in the Application. A copy of the Judgment regarding the Fingland/Raven lands is attached for reference. In essence, the court has determined that Mr. Fingland and Ms. Raven are the owners of a portion of the Subject Lands and are entitled to a conveyance of those lands from the registered owner. The court issued a similar Judgment with respect to portions of the Subject Property that abut the neighbouring lands at 51 Trenholme Crescent and 59 Trenholme Crescent.

The approximate portion of the Subject Lands that is subject to the court decision in favour of the owners of 51, 55 and 59 Trenholme is outlined in red on the attached Annotated Concept Plan, The affected portion of the property continues to the south beyond the image in the attached plan.

On behalf of Mr. Fingland and Ms. Raven we wish to advise that they have no objection to the proposed Zoning By-law Amendment Application for the Subject Property provided that:

1. The change to the By-Law does not impact on the court directed conveyance of the required parcel of land to Mr. Fingland and Ms. Raven;
2. The change is limited to the Subject Property excluding the lands to be conveyed to Mr. Fingland and Ms. Raven; and
3. Mr. Fingland and Ms. Raven entering into an agreement with the owner of the Subject Lands to convey the required portion to them.

We look forward to receiving a copy of the Staff Report when complete. Please do not hesitate to contact me should you have any questions regarding this matter. I would appreciate it if you can confirm receipt of this e-mail and look forward to hearing from you.

**Appendix “G” to Report PED23242**  
**Page 1 of 3**

**CONSULTATION – DEPARTMENTS AND AGENCIES**

	<b>Comment</b>	<b>Staff Response</b>
<ul style="list-style-type: none"> <li>• Canada Post Corporation;</li> <li>• Hamilton Conservation Authority; and,</li> <li>• Trans-Northern Pipelines Inc.</li> </ul>	No Comments.	Noted.
Cultural Heritage Section, Heritage and Urban Design Division, Planning and Economic Development Department	A Stage 1-2 archaeological report (P017-1005-2022) has been submitted to the City of Hamilton and the Ministry of Citizenship and Multiculturalism. While the Provincial interest has yet to be signed off by the Ministry, Staff concur with the recommendations made in the report, and the archaeology condition for the subject application has been met to the satisfaction of staff. Staff request a copy of the letter from the Ministry when available.	Noted. The Applicant is aware of Staff's request for a copy of the Ministry letter when available. This can be provided at the Site Plan Control stage.
Development Engineering Section, Growth Management Division, Planning and Economic Development Department	Development Engineering has reviewed the Sanitary Sewer Capacity Assessment by C3 Water Inc. dated March 27, 2023, which demonstrated that there is adequate capacity in the local sanitary sewer to service the proposal, however the capacity of the Red Hill Trunk sanitary sewer immediately downstream of the subject lands has been identified as constrained.	In effort to address potential downstream impacts to the Red Hill Valley sanitary trunk system, staff have recommended a site specific zoning provision to restrict development of the subject lands to no more than 10 additional dwelling units, as shown on Appendix “B” to Report PED23242.



## Appendix “G” to Report PED23242

Page 2 of 3

	Comment	Staff Response
Development Engineering Section, Growth Management Division, Planning and Economic Development Department <b>(Continued)</b>	<p>There are additional concerns with local flooding in this area based on the history of the site and proposed sanitary flows.</p> <p>Staff support this Zoning By-law Amendment application subject to a site-specific zoning provision to limit a maximum of 10 additional dwelling units.</p>	
Legislative Approvals Section, Growth Management Division, Planning and Economic Development Department	<p>Please note a PIN Abstract would be required with the submission of a future Draft Plan of Condominium application. If the intent is to phase the Condominium, Schedules “G” and “K” as per the <i>Condominium Act</i>, would be required for future phases.</p> <p>Municipal addressing for the proposed development will be determined after approval is granted.</p>	<p>The applicant has indicated rental tenure is proposed for the 10 maisonette dwellings.</p> <p>Staff note that municipal addressing will be finalized at the Building Permit stage.</p>
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	<p>There are municipal tree assets on site although it is determined that no impacts are anticipated therefore no Tree Management Plan is required.</p>	Noted.
Parks and Cemeteries Section, Environmental Services Division, Public Works Department	<p>The subject lands appear to be encroaching onto City property (i.e., fenced community garden on City Rail Trail). Staff request that the applicant contact the City of Hamilton Parks Section (Sarah.Cellini@hamilton.ca) to address the encroachment.</p>	<p>The area of development subject to this application is along the western portion of the lands, and not adjacent to the City Rail Trail. Matters pertaining to any encroachment may be addressed at the Building Permit stage through an encroachment agreement.</p>

**Appendix “G” to Report PED23242**  
**Page 3 of 3**

	<b>Comment</b>	<b>Staff Response</b>
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department	<p>Transportation Planning supports the proposal as the existing road network can accommodate site-generated traffic as demonstrated in the Traffic Impact Brief prepared by SLBC Inc. dated June 21, 2023.</p> <p>Staff are satisfied with the Parking Management Letter prepared by Valley Properties dated January 24, 2023. Staff note that the Applicant shall achieve a 1.0 residential parking rate by reallocating visitor spaces due to available nearby street parking or by modifying the site plan to add parking spaces to accommodate both the proposed visitor parking and a 1.0 residential parking rate.</p>	Staff have recommended site-specific zone provisions to require a minimum of 1 occupant spaces per unit and 0.17 visitor spaces per unit. The existing 54 parking spaces are intended to be utilized by the 46 dwelling units on the subject lands.
Waste Policy and Planning Section, Waste Management Division, Public Works Department	This is an existing site and it is permitted to remain on private waste collection service, i.e. waste collection operations are to remain status quo.	Noted.



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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	December 5, 2023
<b>SUBJECT/REPORT NO:</b>	Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8)
<b>WARD(S) AFFECTED:</b>	Ward 8
<b>PREPARED BY:</b>	Jennifer Catarino (905) 546-2424 Ext. 4748
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That **Zoning By-law Amendment Application ZAC-22-066 by GSP Group Inc. c/o Brenda Khes on behalf of Rymal Holding Ltd., owner**, for a change in zoning from the “AA” (Agricultural) District to the Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone, to permit an eight storey multiple dwelling containing 210 units and two, three storey multiple dwellings (townhouses) containing 10 dwelling units, on lands located at 81 and 87 Rymal Road East, as shown on Appendix “A” attached to Report PED23216, be **APPROVED**, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED23216, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H’ to the proposed Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone;

The Holding Provision ‘H’ is to be removed, conditional upon:

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 2 of 12**

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- (i) That the properties municipally known as 81 and 87 Rymal Road East be merged in title, to the satisfaction of the Director of Planning and Chief Planner;
  - (ii) That the Owner submit a revised Functional Servicing Report to demonstrate that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City's sanitary sewer system by completing a sanitary sewer analysis to demonstrate that there is a residual capacity in the system to support the proposed development, to the satisfaction of the Director of Development Engineering;
  - (iii) That the Owner submit a Stormwater Management Report and design to demonstrate there is a suitable storm outlet for the proposed development, to the satisfaction of the Director of Development Engineering;
  - (iv) That the Owner submit a Watermain Hydraulic Analysis identifying the modelled system pressures at pressure district level, under various boundary conditions and demand scenarios, to demonstrate that the municipal system can provide for required flows to support the proposed development, to the satisfaction of the Director of Development Engineering;
  - (v) That the Owner shall convey to the City, without cost and free of encumbrance, the road widening as shown on the DiCenzo Sobie Draft Plan of Subdivision 25T-87032 through a future Site Plan Control application, to the satisfaction of the Director of Development Engineering;
  - (vi) That the Owner enter into and register on title of the lands, an External Works Agreement with the City, in accordance with the Functional Servicing Report and Watermain Hydraulic Analysis, for the design and construction of any required improvements to the municipal infrastructure including the DiCenzo Drive extension, at the Owner's cost, as upgrades are required to the infrastructure to support the development, to the satisfaction of the Director of Development Engineering;
- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan.

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 3 of 12**

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**EXECUTIVE SUMMARY**

The subject property is municipally known as 81 and 87 Rymal Road East and is located east of Upper James Street and north of Rymal Road East. The Owner has applied for an amendment to the City of Hamilton Zoning By-law No. 6593 to rezone the lands from the “AA” (Agricultural) District to the Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone. The effect of the Zoning By-law Amendment would permit the lands to be developed for a 210 unit, eight storey multiple dwelling with two levels of underground parking, and two, three storey multiple dwellings (townhouses) containing 10 dwelling units, as shown on Appendix “D” attached to Report PED23216. Site specific modifications to the Transit Oriented Corridor Multiple Residential (TOC3) Zone are required to facilitate the proposed development, which are discussed in detail in Appendix “C” attached to Report PED23216.

The proposed Zoning By-law Amendment application has merit and can be supported for the following reasons:

- It is consistent with the Provincial Policy Statement (2020);
- It conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- It complies with the Urban Hamilton Official Plan, in particular, the function, scale and design of the “Neighbourhoods” designation, Residential Infill, and Urban Design policies; and,
- The proposal provides a built form that is compatible with the surrounding land uses in the immediate area, and represents good planning by, among other things, proposing an efficient urban form along an arterial road, increasing the supply of housing units, and makes efficient use of existing municipal infrastructure on an underutilized site.

**Alternatives for Consideration – See Page 12**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold a Public Meeting to consider an application for an amendment to the Zoning By-law.

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 4 of 12**

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## HISTORICAL BACKGROUND

### Report Fact Sheet

<b>Application Details</b>	
Owner:	Rymal Holdings Ltd. (c/o Elite Developments).
Applicant:	GSP Group Inc. (c/o Brenda Khes).
File Number:	ZAC-22-066.
Type of Application:	Zoning By-law Amendment.
Proposal:	<p>To permit the development of an eight storey multiple dwelling with 210 dwelling units, two, three storey multiple dwellings (townhouses) containing 10 dwelling units, and 157 vehicle parking spaces consisting of 11 surface parking spaces and 146 underground parking spaces over two levels with access from Rymal Road East.</p> <p>A total of 1,024 square metres of outdoor amenity area is proposed, which includes 218 square metres of amenity space within the eight storey multiple dwelling on the fourth floor, a total of 308 square metres at grade for the two, three storey multiple dwellings (townhouses) and 183 square metres along the westerly property boundary.</p> <p>In addition, 24 short term bicycle parking spaces and 125 long term bicycle parking spaces are proposed.</p>
<b>Property Details</b>	
Municipal Address:	81 and 87 Rymal Road East.
Lot Area:	0.73 ha.
Servicing:	Existing full municipal services available.
Existing Use:	Single detached dwellings.
Proposed Use:	An eight storey multiple dwelling with 210 dwelling units and two, three storey multiple dwellings (townhouses) containing 10 dwelling units.

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 5 of 12**

<b>Documents</b>	
Provincial Policy Statement:	The proposal is consistent with the Provincial Policy Statement (2020).
A Place to Grow:	The proposal conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
Official Plan Existing:	“Secondary Corridor” and “Neighbourhoods” on Schedule “E” – Urban Structure and “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations.
Official Plan Proposed:	No amendment proposed.
Zoning Existing:	“AA” (Agricultural) District.
Zoning Proposed:	Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone.
Modifications Proposed:	<p>The following modifications have been requested by the Applicant:</p> <ul style="list-style-type: none"> <li>• To reduce the finished floor elevation for any dwelling to 0.25 metres;</li> <li>• To increase the maximum building height to 26.5 metres for the eight storey multiple dwelling;</li> <li>• To reduce the minimum rear yard to 4.5 metres for the multiple dwellings (townhouses); and,</li> <li>• To reduce the minimum setback for mechanical and unitary equipment to 1.0 metre from the street line.</li> </ul> <p>The following staff-initiated modifications are recommended:</p> <ul style="list-style-type: none"> <li>• To increase the driveway width for site ingress and egress to 7.5 metres in width;</li> <li>• To reduce the minimum building height to 10.3 metres for the three storey multiple dwellings (townhouses); and,</li> <li>• To reduce the minimum interior side yard to 3.0 metres.</li> </ul> <p>A complete analysis of the proposed modifications is attached as Appendix “C” to Report PED23216.</p>
<b>Processing Details</b>	
Received:	October 24, 2022.
Deemed complete:	November 24, 2022.

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 6 of 12**

<b>Processing Details</b>	
Notice of Complete Application:	Sent to 54 property owners within 120 metres of the subject property on December 5, 2022.
Public Notice Sign:	Posted on December 9, 2022 and updated with public meeting date prior to November 27, 2023.
Notice of Public Meeting:	Sent to 54 property owners within 120 metres of the subject property on November 27, 2023.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix "F" attached to Report PED23216.
Public Consultation:	A Public Information Meeting was held on May 31, 2023 with invitations sent to residents within 250 metres of the subject lands on May 10, 2023. The applicant did not receive any feedback as a result of their consultation as no members of the public attended the meeting.
Public Comments:	No comments received.
Processing Time:	323 days from date of receipt of initial application. 92 days from receipt of the Traffic Impact Assessment.

### Existing Land Use and Zoning

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Single detached dwellings.	"AA" (Agricultural) District.
<b>Surrounding Land Uses:</b>		
North	Vacant and woodlot.	"C-S/1822" (Urban Protected Residential, Etc.) District, Modified.
South	Single detached dwellings.	"B" (Suburban Agricultural and Residential, etc.) District.
East	Single detached dwelling and vacant.	"AA" (Agricultural) District.
West	Commercial (Auto Dealership).	Mixed Use Medium Density (C5, 318) Zone.

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 7 of 12**

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## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Planning Policy Framework**

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (2020). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Policy Statement (2020) and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. Matters of provincial interest (e.g. efficiency of land use) are reviewed and discussed in the Official Plan analysis that follows.

The application has merit and can be supported for the following reasons:

- It is consistent with Section 3 of the *Planning Act*;
- It is consistent with the Provincial Policy Statement (2020); and,
- It conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

### **Urban Hamilton Official Plan**

The subject lands are identified as “Secondary Corridor” and “Neighbourhoods” on Schedule “E” – Urban Structure and designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the Urban Hamilton Official Plan. The subject lands are located at the southern edge of the Ryckmans Neighbourhood and immediately east of the Upper James Street commercial node.

Secondary Corridors are intended to provide opportunities for creating vibrant pedestrian and transit-oriented places through residential intensification, and investments in infrastructure to support higher densities. The proposal intends to achieve the planned function of Rymal Road East as a “Secondary Corridor” through intensification of the subject lands and the addition of a variety of dwelling types.

The proposal is located along Rymal Road East, which is identified as “Potential Higher Order Transit” in Appendix “B” attached to Report PED23216 – Major Transportation Facilities and Routes in the Urban Hamilton Official Plan. The proposal intends to

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 8 of 12**

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increase the supply of housing in the immediate area to support existing transit services and future higher order transit infrastructure.

“Neighbourhoods” designated areas are characterized as complete communities that include a range of residential dwelling types and supporting uses to serve local residents. The proposal for the development of an eight storey multiple dwelling containing 210 units and two, three storey multiple dwellings (townhouses) containing 10 dwelling units meets the intent of the “Neighbourhoods” designation.

The Applicant has submitted a Sun/Shadow Study prepared by SRM Architects Inc. dated September 26, 2022 that demonstrates how the proposal maintains a minimum of three hours of sun coverage as set out in the City’s Sun Shadow Guidelines. In addition, the proposal allows for a minimum of 50% sun coverage at all times of day on public open spaces, public sidewalks and private outdoor amenity areas.

The Applicant has committed to providing 220 dwelling units comprised of 56% one bedroom and studio units (123 units), 32% one bedroom plus den units (71 units), 7% two bedroom units and two bedroom plus den units (16 units) within the eight storey multiple dwelling, as well as 5% three bedroom units (10 units) within the multiple dwellings (townhouses). Staff are satisfied the proposal provides a mix of dwelling units to accommodate a range of household sizes.

The Applicant has submitted an Angular Plane drawing prepared by SRM Architects Inc. dated March 14, 2023, illustrating that a 45 degree angular plane is maintained for the eight storey multiple dwelling which will mitigate impacts to the low density residential uses to the east. The building has been designed with a stepback at the third and seventh storeys along the southern portion of the eastern building façade. The proposed multiple dwellings (townhouses) are consistent with the three storey maximum building height for low density residential areas and are consistent with the anticipated form of development for the surrounding neighbourhood.

In the Urban Design Brief, prepared by GSP Group dated September 2022, it was noted that approximately 29.6% of the landscaped area is proposed to provide permeable paving to assist with storm-water management. In addition, the building design scale proposes a balanced solid-to-glazing ratio anticipated to reduce the energy requirements for heating and cooling. The Planning Justification Report prepared by GSP Group and dated October 2022 notes that sustainable building design and principles will be further explored through the Site Plan Control stage.

The proposal is compatible with the existing and planned uses identified in the Ryckmans Neighbourhood Plan, which was intended to be developed as a low density residential area. A required road dedication along the northern property line of the

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 9 of 12**

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subject lands will facilitate the extension of DiCenzo Drive and connect the proposed development to the surrounding low density residential uses. DiCenzo Drive is anticipated to extend west and curve to the north behind the existing commercial uses along Upper James Street, ultimately connecting to the Stonegate Park development and DiCenzo Sobie subdivision (25T-87032).

The proposed multiple dwellings (townhouses) are rotated inward, towards an internal amenity space, which creates rear yards where interior side yards would be anticipated. The concept plan, attached as Appendix “D” to Report PED23216, indicates that planting and tree canopies will be provided along the rear of the three storey multiple dwellings (townhouses). These features will reduce the impact of future overlook concerns and mitigate against privacy concerns from the adjacent properties to the east. The orientation of the multiple dwellings (townhouses) provides a transition between the existing commercial uses, proposed eight storey multiple dwelling and the surrounding low density residential uses. Through the Site Plan Control process, staff will ensure the last unit of the proposed townhouses is designed to front onto DiCenzo Drive to maintain a connection to the broader neighbourhood.

The existing car dealership property that is adjacent to the subject lands and extends to the future DiCenzo Drive, is designated “Mixed Use – Medium Density” in the Urban Hamilton Official Plan and zoned Mixed Use Medium Density (C5) Zone. This change has precluded the adjacent lands from developing in accordance with the Ryckmans Neighbourhood Plan, which anticipated low density residential along DiCenzo Drive. There is an existing surface parking lot at the rear of the car dealership and the City is not aware of any plans to redevelop these lands.

The proposed three storey multiple dwellings (townhouses) provide an intervening land use between the proposed eight storey multiple dwelling and existing and proposed low density residential uses to the north. The lands along the north side of the planned DiCenzo Drive extension have not been included within the DiCenzo Sobie subdivision. This Zoning By-law amendment will not impact the orderly development of the lands along the planned DiCenzo Drive extension.

Staff are satisfied that the proposal achieves orderly development that meets the intent of the Ryckmans Neighbourhood Plan and the long term vision for DiCenzo Drive. The neighbourhood was envisioned as a residential area providing access to parks, institutional and commercial uses. The development proposal removes the envisioned cul-de-sac from the Neighbourhood Plan that intended to service low density residential lots, however, the proposed development provides additional density and an alternative built form that complements the existing low density residential uses. The multiple dwellings (townhouses) provide an adequate transition from the existing commercial uses, proposed eight storey multiple dwelling and surrounding low density residential

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 10 of 12**

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uses. Overlook and privacy concerns were considered, and the proposed setbacks and height are not anticipated to conflict with future low density residential development along DiCenzo Drive.

In addition, the proposal demonstrates that an increase in building height to eight storeys is appropriate by meeting the evaluation criteria (i.e. progressive building step backs, reduced shadow impacts, mix of unit sizes and sustainable design principles, etc.) within the “Medium Density Residential” policies of the “Neighbourhoods” designation. The proposed development is providing a variety of unit sizes and dwelling types that complement the planned function of the area.

Therefore, the proposal complies with the Urban Hamilton Official Plan.

### **Zoning By-law No. 05-200**

The proposed Zoning By-law Amendment is for a change in zoning from “AA” (Agricultural) District to Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone. The effect of this Zoning By-law Amendment will permit an eight storey multiple dwelling containing 210 units and two, three storey multiple dwellings (townhouses) containing 10 dwelling units. Modifications to the Transit Oriented Corridor Multiple Residential (TOC3) Zone are required to facilitate the development and are summarized in the report Fact Sheet above and further discussed in Appendix “C” attached to Report PED23216.

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

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan, in particular, the function, scale and design of the “Neighbourhoods” designation, and Residential Intensification, Urban Design and Secondary Corridor Policies; and,
  - (iii) It is considered to be a compatible built form with the existing urban landscape in the immediate area, and represents good planning by, among other things, providing a compact and efficient urban form along an existing transit route, adding to the range of housing types and supporting

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 11 of 12**

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the development of a complete community.

2. Zoning By-law Amendment

The subject lands are zoned “AA” (Agricultural) District in Zoning By-law No. 6593. The Zoning By-law Amendment proposes to change the zoning to the Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone.

The proposal complements the existing planned functions of the “Neighbourhoods” designation by intensifying an underutilized lot along an arterial road in proximity to a major transit route. The proposed height increase can be supported as the eight storey multiple dwelling meets the criteria for additional height set out in the “Neighbourhoods” designation of the Urban Hamilton Official Plan. Staff are satisfied that the proposal meets the intent of the “Neighbourhoods” designation policies and applicable intensification policies of the Urban Hamilton Official Plan, as outlined in Appendix “E” attached to Report PED23216.

Building step backs, setbacks and the inclusion of the three storey multiple dwellings as an intervening built form reduces the impact of the building height on the abutting low density residential uses. This proposed Zoning By-law Amendment will not impact the orderly development of the lands along the north and south sides of the planned DiCenzo Drive extension. As illustrated in the Angular Plan analysis submitted, stepbacks have been incorporated into the building design. Staff are satisfied that the proposed development is considered orderly development and meets the intent of what was envisioned for DiCenzo Drive and the Ryckmans Neighbourhood Plan.

Modifications to permit a reduced finished floor elevation, reduced setbacks (i.e. rear yard, side yard and mechanical and utility equipment) are considered minor in nature and meet the general intent of the Zoning By-law. It is staff’s opinion that the proposed amendments meet the general intent of Zoning By-law No. 05-200. An analysis of the requested modifications is provided in Appendix “C” attached to Report PED23216.

Therefore, staff support the proposed Zoning By-law Amendment, subject to the proposed Holding Provision.

3. Holding Provision

A Holding “H” Provision is proposed to be added to the subject lands to ensure 81 and 87 Rymal Road East are merged in title to facilitate a comprehensively

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**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - Page 12 of 12**

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planned development. The Owner or Applicant shall demonstrate through the submission of a Functional Servicing Report and Water Hydraulic Analysis that the proposal has adequate capacity in the existing municipal infrastructure system. The Owner is also required to dedicate the right-of-way width, as shown on the DiCenzo Sobie Draft Plan of Subdivision 25T-87032. Further, the applicant is required to pay their proportional share of the cost to complete the street. In addition, the Owner shall enter into and register on title an External Works Agreement with the City of Hamilton for any municipal infrastructure improvements. Upon submission and approval of the above noted information, the Holding Provision can be lifted.

Therefore, staff support the proposed Zoning By-law Amendment.

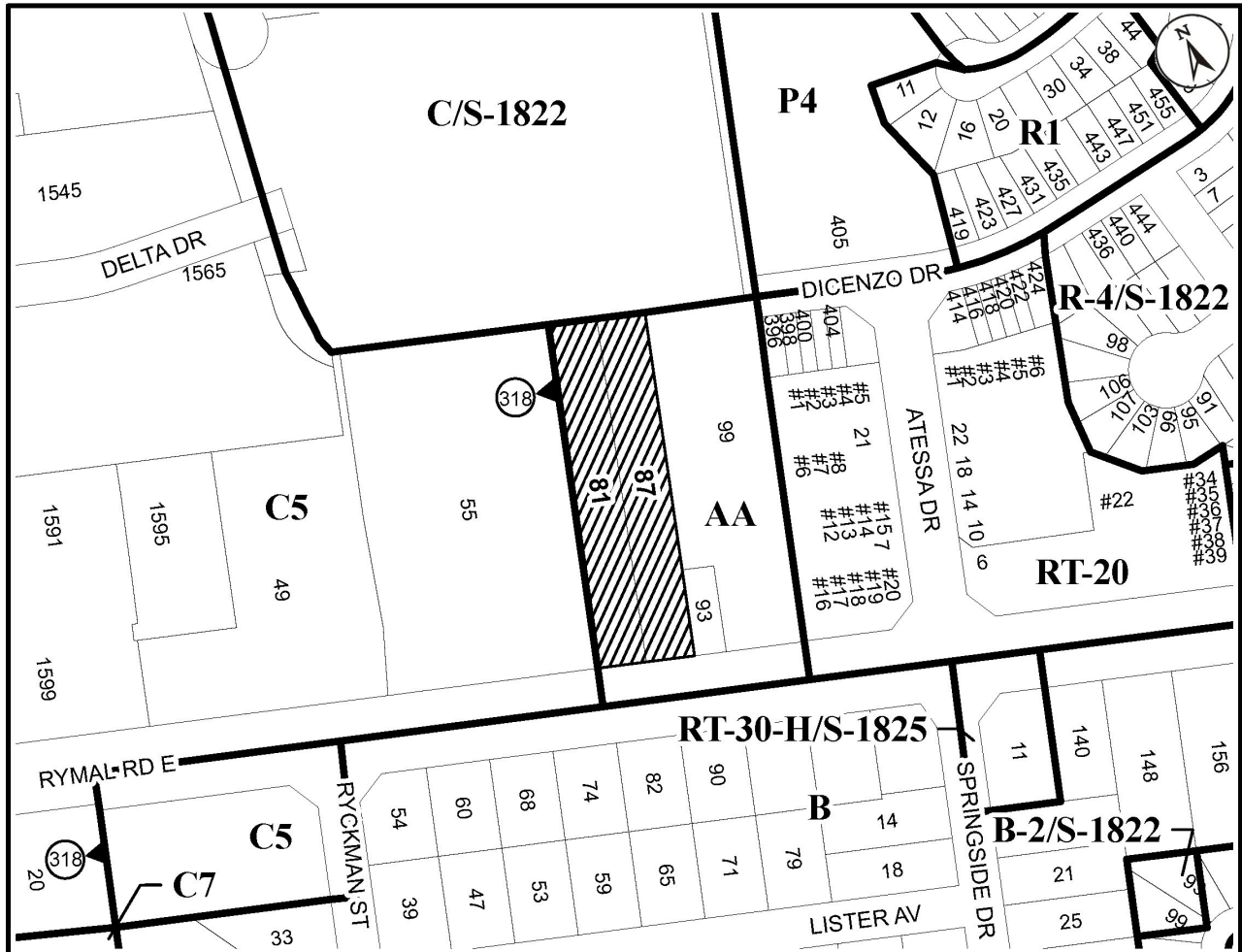
### **ALTERNATIVES FOR CONSIDERATION**

Should the application be denied, the subject property can be used in accordance with the "AA" (Agricultural) District in former City of Hamilton Zoning By-law No. 6593.

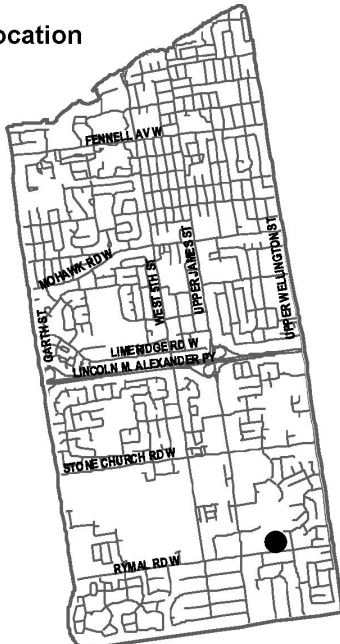
### **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED23216 – Location Map  
Appendix "B" to Report PED23216 – Amendment to Zoning By-law No. 05-200  
Appendix "C" to Report PED23216 – Zoning Modification Table  
Appendix "D" to Report PED23216 – Concept Plan and Elevation Drawings  
Appendix "E" to Report PED23216 – Policy Review  
Appendix "F" to Report PED23216 – Staff and Agency Comments

JC:sd



● Site Location



Key Map - Ward 8

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-22-066

Date:  
August 4, 2023

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
AB/VS

### Subject Property

81 & 87 Rymal Road East



Lands to be added to Zoning By-law No. 05-200 as Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone



**Appendix “B” to Report PED23216****Page 1 of 5**

**Authority:** Item ,  
Report  
CM:  
Ward: 8

**Bill No.****CITY OF HAMILTON****BY-LAW NO.**

**To Amend Zoning By-law No. 05-200  
with respect to lands located at 81 and 87 Rymal Road East, Hamilton**

**WHEREAS** Council approved Item \_\_\_ of Report PED23216 of the Planning Committee, at its meeting held on December 5, 2023.

**WHEREAS** this By-law conforms to the Urban Hamilton Official Plan and,

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

1. That Map No. 1395 of Schedule “A” – Zoning Maps is amended by adding the Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone for the lands known as 81 and 87 Rymal Road East as shown on Schedule “A” attached to this By-law.

2. The Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:

“874. Within lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map 1395 of Schedule “A” – Zoning Maps and described as 81 and 87 Rymal Road East, the following provisions shall apply:

a) Notwithstanding Sections 11.3.1.1 i) 1., 11.3.2 e) ii), 11.3.2 e) iii), 11.3.2 f) v) and 4.9 a) the following regulations shall apply:

i)	Restriction of Uses Within a Building	The finished floor elevation of any dwelling shall be a minimum 0.25 metres above grade.
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ii)	Building Height	<ol style="list-style-type: none"> <li>1. Maximum 26.5 metres.</li> <li>2. Minimum 10.3 metres.</li> </ol>
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**Appendix “B” to Report PED23216****Page 2 of 5**

3. Notwithstanding 1. above, any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in subsection iii) and v) below, when abutting a Residential or Institutional Zone, to a maximum of 26.5 metres.
- |      |                                  |  |
|------|----------------------------------|--|
| iii) | Minimum Interior Side Yard       | <p>1. 3.0 metres.</p> <p>2. Notwithstanding 1. above, 7.5 metres shall be required for any building exceeding 11.0 metres in height.</p> <p>3. Notwithstanding 1. and 2. above, a Minimum Interior Side Yard shall not be required for any portion of a property line abutting a Mixed Use Medium Density (C5) Zone.</p> |
| iv)  | Built Form for New Development   | Maximum of one 7.5 metre wide driveway shall be permitted for ingress and egress.  |
| v)   | Rear Yard                        | Minimum 4.5 metres.  |
| vi)  | Mechanical and Unitary Equipment | Shall be located within a required front yard, provided such equipment shall have a minimum setback of 1.0 metre from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping.”   |

3. That Schedule “D” – Holding Provisions be amended by adding the following new Holding Provision:

“162” Notwithstanding Section 11.3 on lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone, identified on Map 1395 of Schedule

**Appendix “B” to Report PED23216****Page 3 of 5**

“A” – Zoning Maps and described as 81 and 87 Rymal Road East, no development shall be permitted until such time as:

- i) That the properties municipally known as 81 and 87 Rymal Road East be merged in title, to the satisfaction of the Director of Planning and Chief Planner.
  - ii) That the Owner submit a revised Functional Servicing Report to demonstrate that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City’s sanitary sewer system by completing a sanitary sewer analysis to demonstrate that there is a residual capacity in the system to support the proposed development, to the satisfaction of the Director of Development Engineering.
  - iii) That the Owner submit a Stormwater Management Report and design to demonstrate there is a suitable storm outlet for the proposed development, to the satisfaction of the Director of Development Engineering.
  - iv) That the Owner submit a Watermain Hydraulic Analysis identifying the modelled system pressures at pressure district level, under various boundary conditions and demand scenarios, to demonstrate that the municipal system can provide for required flows to support the proposed development, to the satisfaction of the Director of Development Engineering.
  - v) That That the Owner shall convey to the City, without cost and free of encumbrance, the road widening as shown on the DiCenzo Sobie Draft Plan of Subdivision 25T-87032 through a future Site Plan Control application, to the satisfaction of the Director of Development Engineering.
  - vi) That the Owner enter into and register on title of the lands, an External Works Agreement with the City, in accordance with the Functional Servicing Report and Watermain Hydraulic Analysis, for the design and construction of any required improvements to the municipal infrastructure including the DiCenzo Drive extension, at the Owner’s cost, as upgrades are required to the infrastructure to support the development, to the satisfaction of the Director of Development Engineering.
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 Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone, subject to the special requirements referred to in Section Nos. 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*.

**Appendix "B" to Report PED23216**  
**Page 4 of 5**

**PASSED** this \_\_\_\_\_ , \_\_\_\_\_

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A. Horwath  
Mayor

---

J. Pilon  
Acting City Clerk

ZAC-22-066

**Appendix "B" to Report PED23216**  
**Page 5 of 5**



This is Schedule "A" to By-law No. 23-  Passed the ..... day of ....., 2023	----- Mayor  ----- Clerk
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<h2>Schedule "A"</h2>  Map forming Part of By-law No. 23-_____  to Amend By-law No. 05-200 Map 1395	<b>Subject Property</b> 81 & 87 Rymal Road East  Lands to be added to Zoning By-law No. 05-200 as Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone
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Scale: N.T.S	File Name/Number: ZAC-22-066	
Date: August 4, 2023	Planner/Technician: AB/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Appendix “C” to Report PED23216**  
**Page 1 of 4**

**Site Specific Modifications to the Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone**

Regulation	Required	Modification	Analysis
Restriction of Uses Within a Building	The finished floor elevation of any dwelling shall be a minimum 0.9 metres above grade.	Minimum 0.25 metres above grade.	<p>A minimum 0.25 metre finished floor elevation is in keeping with the intent of the Zoning By-law as physical delineation between the public realm and the private space of the residential dwelling units are proposed to be maintained through interior facing building orientation and the use of landscaping to screen dwellings from public view along the streetscape. This regulation applies to both the eight storey multiple dwelling and the two, three storey multiple dwellings (townhouses).</p> <p>The proposed site grading design precludes the ability to provide a 0.9 metre finished floor elevation, as it would require access ramps and stairways at ingress/egress locations from the multiple dwelling. The units proposed at grade may also facilitate barrier free ground floor access.</p> <p>Therefore, staff supports this modification.</p>
Building Height	Minimum 11.0 metres for Emergency Shelter, Lodging House, Multiple Dwelling, Residential Care Facility, Retirement Home	Minimum 10.3 metres.	<p>The Transit Oriented Corridor Multiple Residential (TOC3) Zone requires a minimum height of 11.0 metres to ensure that a minimum of two storeys is developed to accommodate a mix of uses along transit corridors. The proposed reduction in minimum building height is intended to accommodate the two, three storey multiple dwellings. The reduction in building height is compatible with the surrounding neighbourhood context as it acts as a transition from the eight storey multiple dwelling to the surrounding low density residential uses of the neighbourhood. The height of the multiple dwellings (townhouses) will support the pedestrian oriented uses along DiCenzo Drive and the anticipated residential uses that will complete the Ryckmans Neighbourhood.</p>

## Appendix “C” to Report PED23216

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Regulation	Required	Modification	Analysis
Building Height	Minimum 11.0 metres for Emergency Shelter, Lodging House, Multiple Dwelling, Residential Care Facility, Retirement Home <b>(Continued)</b>		The Transit Oriented Corridor Multiple Residential (TOC3) Zone includes the requirement for greater setbacks as buildings become taller. If a taller building is proposed to replace the two, three storey multiple dwellings, a greater setback would be required, and development would be more aligned within the centre of the subject lands.  Therefore, staff supports this modification.
Building Height	Maximum 22.0 metres for Emergency Shelter, Lodging House, Multiple Dwelling, Residential Care Facility, Retirement Home	Maximum 26.5 metres.	The proposed building height for the eight storey building is compatible with the surrounding neighbourhood through the design of building step backs at the third storey and seventh storey of the multiple dwelling to ensure that overlook and privacy impacts are minimized on the existing residential uses east and south.  Therefore, staff supports this modification.
Building Height	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) above, when abutting a Residential or Institutional Zone, a maximum of 22.0 metres.	Notwithstanding, any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in when abutting a Residential or Institutional Zone, to a maximum of 26.5 metres.	To ensure that adequate transitions occur between the proposed development and adjacent uses, an incremental increase to the height will require increases to the yard setbacks to a maximum building height of 26.5 metres.  Therefore, staff supports this modification.

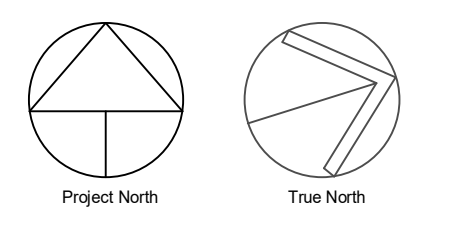
**Appendix “C” to Report PED23216**  
**Page 3 of 4**

Regulation	Required	Modification	Analysis
Minimum Interior Side Yard	7.5 metres for lots abutting a Single Detached Dwelling, Semi-detached Dwelling, and Street Townhouse.	3.0 metres.	<p>The proposed multiple dwellings (townhouses) are rotated inward, towards an internal amenity space, which creates rear yards where interior side yards would be anticipated. The concept plan, attached as Appendix “D” to Report PED23216, indicates that planting and tree canopies will be provided along the rear of the multiple dwellings (townhouses). These features will help to reduce the impact of future overlook concerns and mitigate against privacy concerns from the adjacent property to the east.</p> <p>Therefore, staff supports this modification.</p>
Minimum Interior Side Yard	None	7.5 metres shall be required for any building exceeding 11.0 metres.	<p>The adjacent property to the east is currently developed with a single detached dwelling and the planned function of the vacant lands to the east is residential. This modification ensures that development will maintain a 7.5 metre setback from the eastern property line, which will provide sufficient space between the existing single detached dwelling and any development on the subject lands.</p> <p>Therefore, staff supports this modification.</p>
Minimum Interior Side Yard	None	A Minimum Interior Side Yard shall not be required for any portion of a property line abutting a Mixed Use Medium Density (C5) Zone.	<p>The eight storey multiple dwelling is proposed along the western property line that abuts the Mixed Use Medium Density (C5) Zone, which currently does not require an additional setback. Staff are satisfied that through the review of the application an adequate setback from the commercial property has been provided and there is no privacy or overlook concerns.</p> <p>Therefore, staff supports this modification.</p>

**Appendix “C” to Report PED23216**  
**Page 4 of 4**

Regulation	Required	Modification	Analysis
Built Form for New Development	Maximum one 6.0-metre-wide driveway shall be permitted for ingress and egress	Maximum one 7.5-metre-wide driveway shall be permitted for ingress and egress.	<p>The modification is minor in nature as the proposed 7.5 metre driveway width is proposed at the ingress/egress of Rymal Road East and tapers to a 6.0 metre driveway width throughout the remainder of the site.</p> <p>Therefore, staff supports this modification.</p>
Rear Yard	Minimum 7.5 metres.	Minimum 4.5 metres.	<p>Following completion of the future extension of DiCenzo Drive along the northern property line, the rear yard will be measured to DiCenzo Drive, despite functioning more as a side yard. The multiple dwellings (townhouses) would be perceived as having frontage onto DiCenzo Drive where a proposed setback of 4.5 metres is compatible with the front yards of the adjacent residential uses. Through the Site Plan Control process staff will ensure that the units adjacent to DiCenzo Drive will be designed to front onto DiCenzo Drive.</p> <p>Therefore, staff supports this modification.</p>
Mechanical and Unitary Equipment	Minimum setback of 3.0 metres from the street line (within a required front yard), and minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping.	Minimum setback of 1.0 metre from the street line (within a required front yard), a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping.	<p>The proposed mechanical equipment (i.e., transformer) is planned to be screened by a fence enclosure to limit views from the streetscape. The proposal has limited opportunities to maintain a 3.0 metre setback from the street as the proposed eight storey multiple dwelling is designed close to the Rymal Road East property line to facilitate a pedestrian oriented streetscape.</p> <p>Therefore, staff supports this modification.</p>





AMENITY / COMMERCIAL / RETAIL DATA	
DATA	PROVIDED
COMMERCIAL/RETAIL AREA (m <sup>2</sup> )	N/A
AMENITY AREA (m <sup>2</sup> )	13,775 ft <sup>2</sup> (1,279 m <sup>2</sup> )
REQUIRED	REQUIRED
82 (<50 m <sup>2</sup> ) @ 4(m <sup>2</sup> )/unit = 328	12,443 ft <sup>2</sup> (1,156 m <sup>2</sup> )
128 (>50 m <sup>2</sup> ) @ 6(m <sup>2</sup> )/unit = 768	
10 (>50 m <sup>2</sup> ) @ 6(m <sup>2</sup> )/unit = 60 (TOWNS)	
INDOOR AMENITY AREA (m <sup>2</sup> )	2,747 ft <sup>2</sup> (255 m <sup>2</sup> )
OUTDOOR AMENITY AREA (m <sup>2</sup> ) (Excl'd Balconies)	11,028 ft <sup>2</sup> (1,024 m <sup>2</sup> )

UNIT BREAKDOWN			
DATA	AMOUNT	%	AREA RANGE
STUDIO	12	5.5%	414 ft <sup>2</sup> - 636 ft <sup>2</sup>
1 BED	111	50.5%	448 ft <sup>2</sup> - 617 ft <sup>2</sup>
1 BED + D	71	32.3%	587 ft <sup>2</sup> - 740 ft <sup>2</sup>
2 BED	8	3.6%	752 ft <sup>2</sup> - 793 ft <sup>2</sup>
2 BED + D	8	3.6%	841 ft <sup>2</sup> - 1143 ft <sup>2</sup>
3 BED	10	4.5%	1770 ft <sup>2</sup> - 1932 ft <sup>2</sup> (3 storeys)
<b>TOTAL</b>	<b>220</b>	<b>100%</b>	

POTENTIAL UNIT BREAKDOWN (Combining units on L1-L3 to get larger units)			
DATA	AMOUNT	%	AREA RANGE
STUDIO	12	5.9%	414 ft <sup>2</sup> - 636 ft <sup>2</sup>
1 BED	88	42.9%	448 ft <sup>2</sup> - 617 ft <sup>2</sup>
1 BED + D	66	32.2%	587 ft <sup>2</sup> - 740 ft <sup>2</sup>
2 BED	6	2.9%	752 ft <sup>2</sup> - 793 ft <sup>2</sup>
2 BED + D	19	9.3%	841 ft <sup>2</sup> - 1,145 ft <sup>2</sup>
3 BED + D	4	2.0%	1,370 ft <sup>2</sup> - 1,457 ft <sup>2</sup>
3 BED TOWNHOUSES	10	4.9%	1770 ft <sup>2</sup> - 1932 ft <sup>2</sup> (3 storeys)
<b>TOTAL</b>	<b>205</b>	<b>100%</b>	

BUILDING DATA (Apartment & townhouses)	
DATA	PROVIDED
TOTAL DENSITY (# of units)	220 total units

APARTMENT DATA	
DATA	PROVIDED
TOTAL DENSITY (# of units)	210 apartment units
BUILDING AREA (Excl'd Townhouses)	23,935 ft <sup>2</sup> (2,224 m <sup>2</sup> )
TOWER FOOTPRINT	N/A
GROSS FLOOR AREA (Excl'd Townhouses)	155,448 ft <sup>2</sup> (14,442 m <sup>2</sup> )
UNDERGROUND PARKING AREA	82,918 ft <sup>2</sup> (7,703 m <sup>2</sup> )
GROSS CONSTRUCTION FLOOR AREA (m <sup>2</sup> ) (INCLUDING UNDERGROUND, EXCLUDING TOWNHOUSES & MECH. PH)	238,366 ft <sup>2</sup> (22,145 m <sup>2</sup> ) (INCLUDES RAMP)
1 TO 3 LEVELS	85 units
4 TO 8 LEVELS	125 units
NUMBER OF STOREYS	8 STOREYS
BUILDING HEIGHT (m) FROM AVG. GRADE	+/- 26.5 m

TOWNHOUSES DATA	
DATA	PROVIDED
TOTAL DENSITY (# of units)	10 townhouse units
TOWNHOUSE BUILDING AREA (m <sup>2</sup> ) (PER BUILDING)	3,023 ft <sup>2</sup> (281 m <sup>2</sup> )
BUILDING AREA (Excl'd Apartment)	6,046 ft <sup>2</sup> (562 m <sup>2</sup> )
GROSS CONSTRUCTION FLOOR AREA (m <sup>2</sup> ) (PER BUILDING)	9,069 ft <sup>2</sup> (843 m <sup>2</sup> )
GROSS CONSTRUCTION FLOOR AREA (m <sup>2</sup> ) (TOTAL TOWNHOUSES)	18,138 ft <sup>2</sup> (1,685 m <sup>2</sup> )
NUMBER OF STOREYS (PER BUILDING)	3
NUMBER OF BUILDINGS	2
BUILDING HEIGHT FROM AVERAGE GRADE (m)	TOWNHOUSE A +/- 10.35 m TOWNHOUSE B +/- 10.46 m

SITE DATA	
81 & 87 RYMAL RD, HAMILTON	
DATA	PROVIDED
LOT AREA (m <sup>2</sup> ) (Excl'd 10m ROW)	78,826 ft <sup>2</sup> (7,323 m <sup>2</sup> )
SETBACKS	Building Setback from street line (m) (Rymal Road) 4.5 m - APARTMENT
INTERIOR SIDE YARD West (m)	6.1 m - APARTMENT 3.0 m - TOWNHOUSES
INTERIOR SIDE YARD East (m)	19.1 m - APARTMENT 3.0 m - TOWNHOUSES
REAR YARD (m) Building Setback from street line (Dicenzo Drive)	4.5 m - TOWNHOUSES

LANDSCAPING DATA	
DATA	PROVIDED
LANDSCAPE AREA (m <sup>2</sup> )	21,949 ft <sup>2</sup> (2,039 m <sup>2</sup> )
LANDSCAPE AREA (%) (not including planting strip / sidewalks)	27.8%

VEHICLE PARKING DATA		
DATA	REQUIRED	PROVIDED
PARKING NUMBER	154	157
PARKING BREAKDOWN	82 (<50 m <sup>2</sup> ) @ 0.3/unit = 25 14 (>50 m <sup>2</sup> ) @ 0.7/unit = 10 36 (>50 m <sup>2</sup> ) @ 0.85/unit = 31 78 (>50 m <sup>2</sup> ) @ 1.0/unit = 78 10 (>50 m <sup>2</sup> ) @ 1.0/unit = 10 (TOWNS)	SURFACE = 11 LEVEL P1 = 73 LEVEL P2 = 73
BARRIER FREE PARKING	6 (incl. in above)	10 (incl. in above)
ELECTRIC VEHICLE PARKING	-	16 (incl. in above)
<b>TOTAL</b>	<b>154</b>	<b>157</b>

BICYCLE PARKING DATA		
DATA	REQUIRED	PROVIDED
RESIDENTIAL BICYCLE PARKING	15 (5 EA. ENTRANCE)	24
SHORT TERM		
LONG TERM	0.5/UNIT (105)	125
<b>TOTAL</b>	<b>TBD</b>	

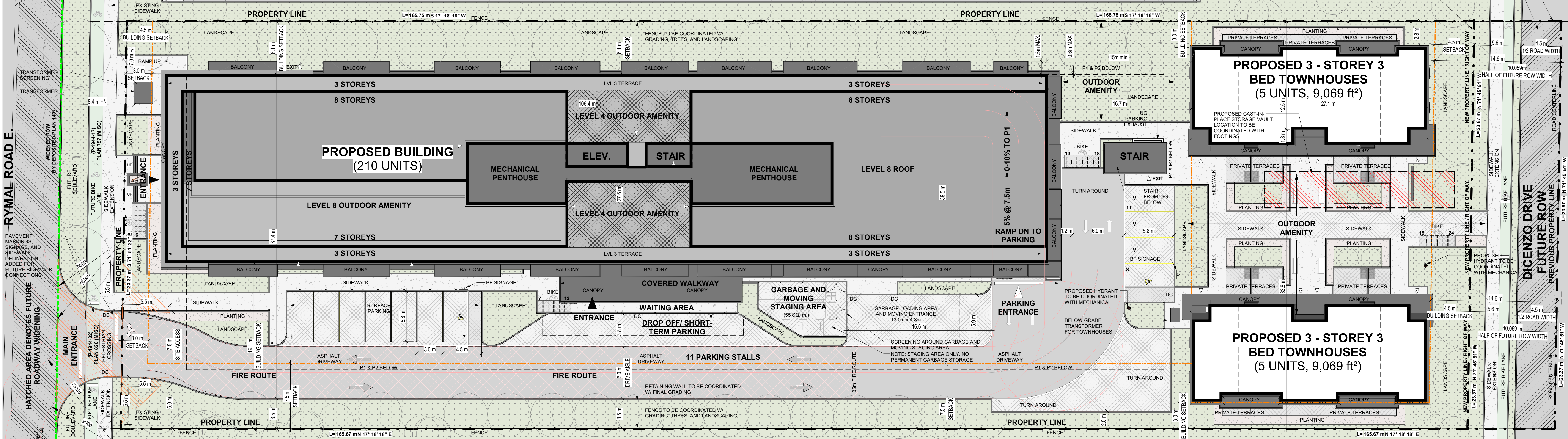


2 SITE PLAN 1:1500

NOTE: REFER TO LANDSCAPE AND TREE PROTECTION PLANS FOR LANDSCAPING, REMOVALS, PLANTINGS, AND TREE PROTECTION DETAILS

9m ROAD WIDTH TOTAL 4.5m OFFSET FROM EXISTING PROPERTY LINE  
NEW PROPERTY LINE / ROW 10m OFFSET FROM ROAD CENTERLINE  
DICENZO DRIVE LOCATION, DESIGN, AND ROW SHOWN APPROX. AND TO BE CONFIRMED

EXISTING PROPERTY



EXISTING PROPERTY

1 SITE PLAN 1:200

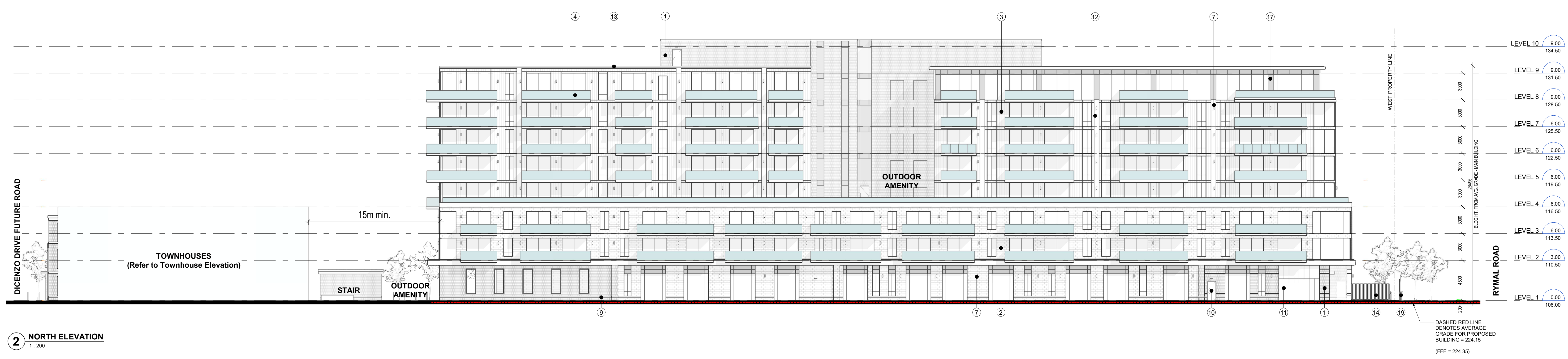
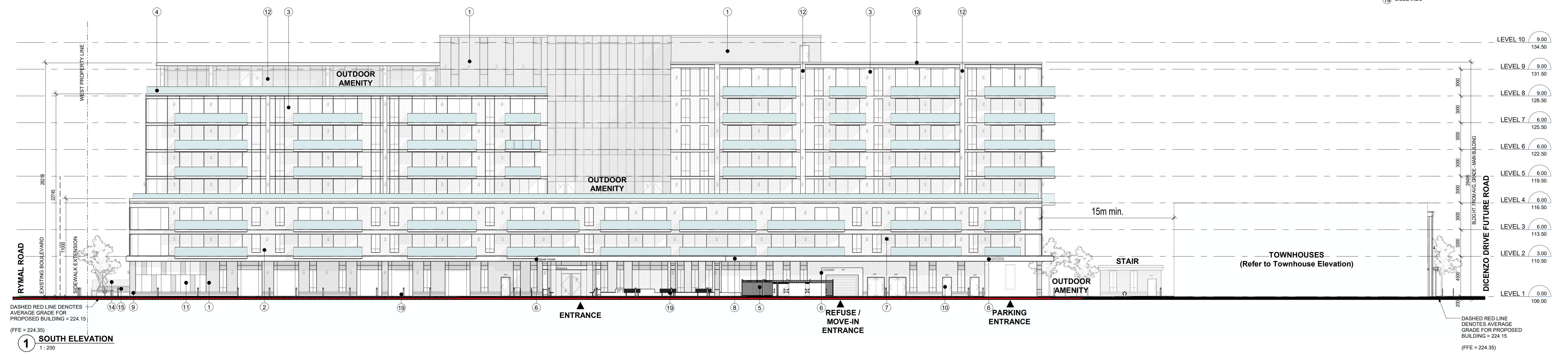
SECURED BIKE / LOCKER STORAGE  
LEVEL 1 = 26 (SINGLE USE)  
LEVEL P1 = 34 (LOCKER/ BIKE COMBO)  
LEVEL P2 = 65 (LOCKER/ BIKE COMBO)  
TOTAL = 125

OPEN BIKE PARKING (ST)  
LEVEL 1 = 24



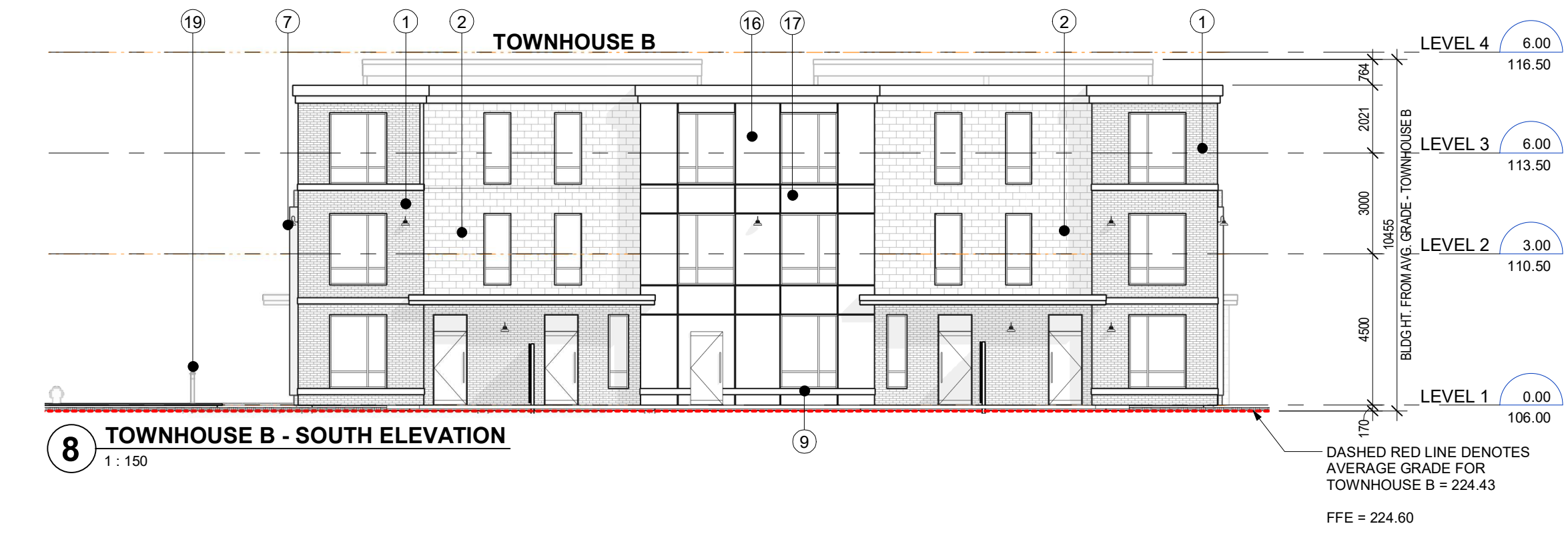
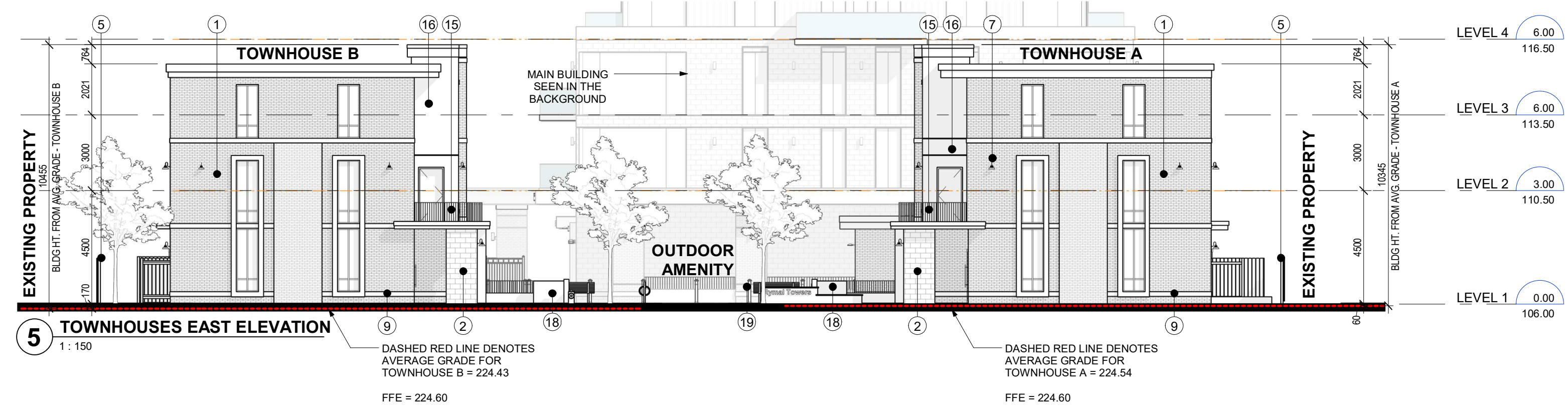
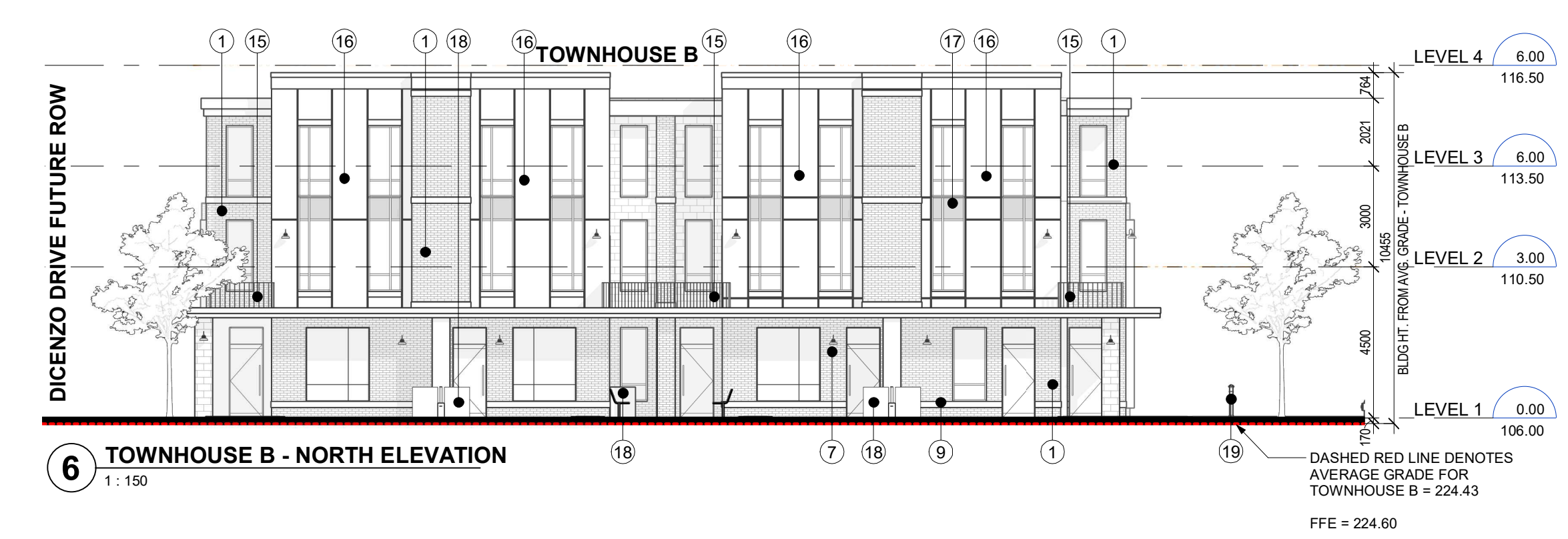
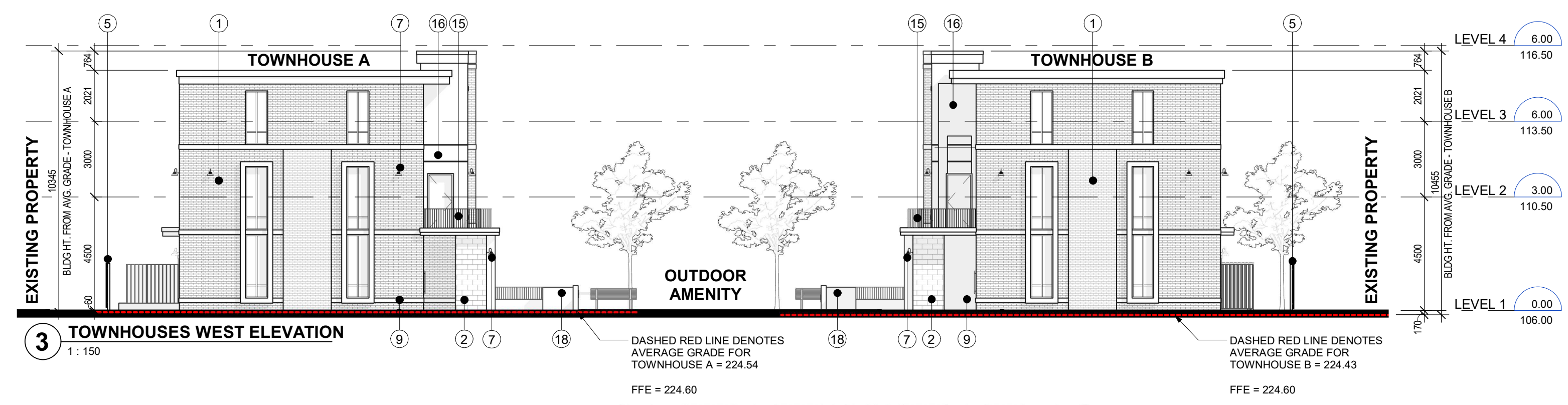
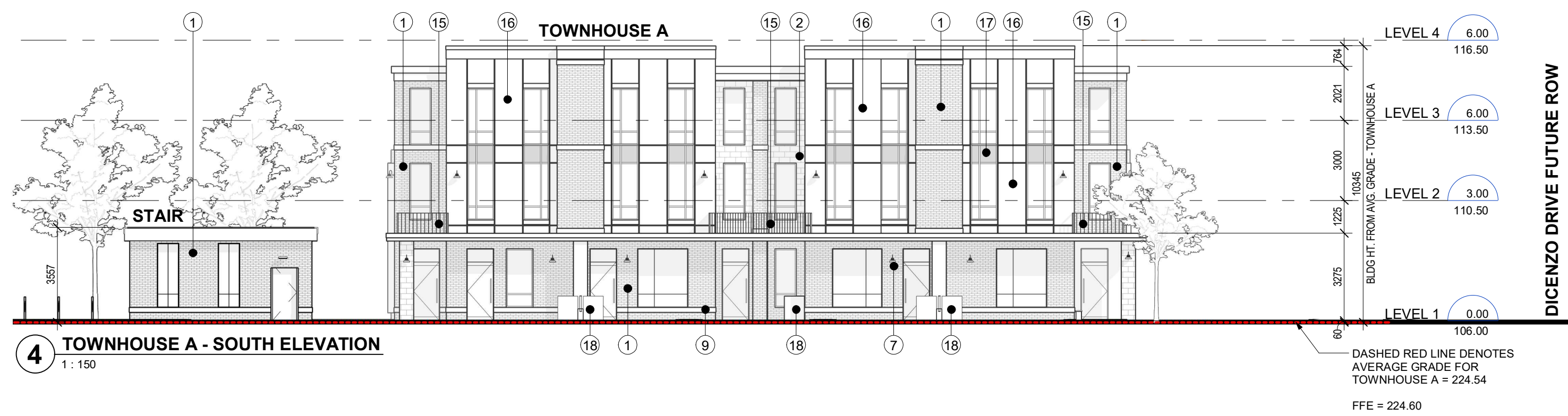
**MATERIALS LEGEND**

- ① BRICK VENEER (FINISH TYPE 1)
- ② SMOOTH FACED STONE MASONRY (FINISH TYPE 1)
- ③ PREFINISHED VERT. METAL SIDING C/W REVEALS
- ④ GLAZED RAILING SYSTEM
- ⑤ FENCING / SCREENING
- ⑥ SIGNAGE
- ⑦ TYPICAL LIGHT FIXTURE
- ⑧ CANOPY FRAMING
- ⑨ PRECAST SILL
- ⑩ PAINTED EXTERIOR DOOR
- ⑪ THERMALLY BROKEN GLAZING IN ANOD. ALUM. FRAME
- ⑫ ACCENT PANELS TYPE 1
- ⑬ PREFINISHED METAL CAP FLASHING
- ⑭ TRANSFORMER C/W SCREENING
- ⑮ FLAT BAR RAILING SYSTEM
- ⑯ EXPOSED CONCRETE FINISH
- ⑰ SEALED SPANDREL PANEL IN ANOD. ALUM. FRAME
- ⑱ GARBAGE ENCLOSURE
- ⑲ BOLLARDS

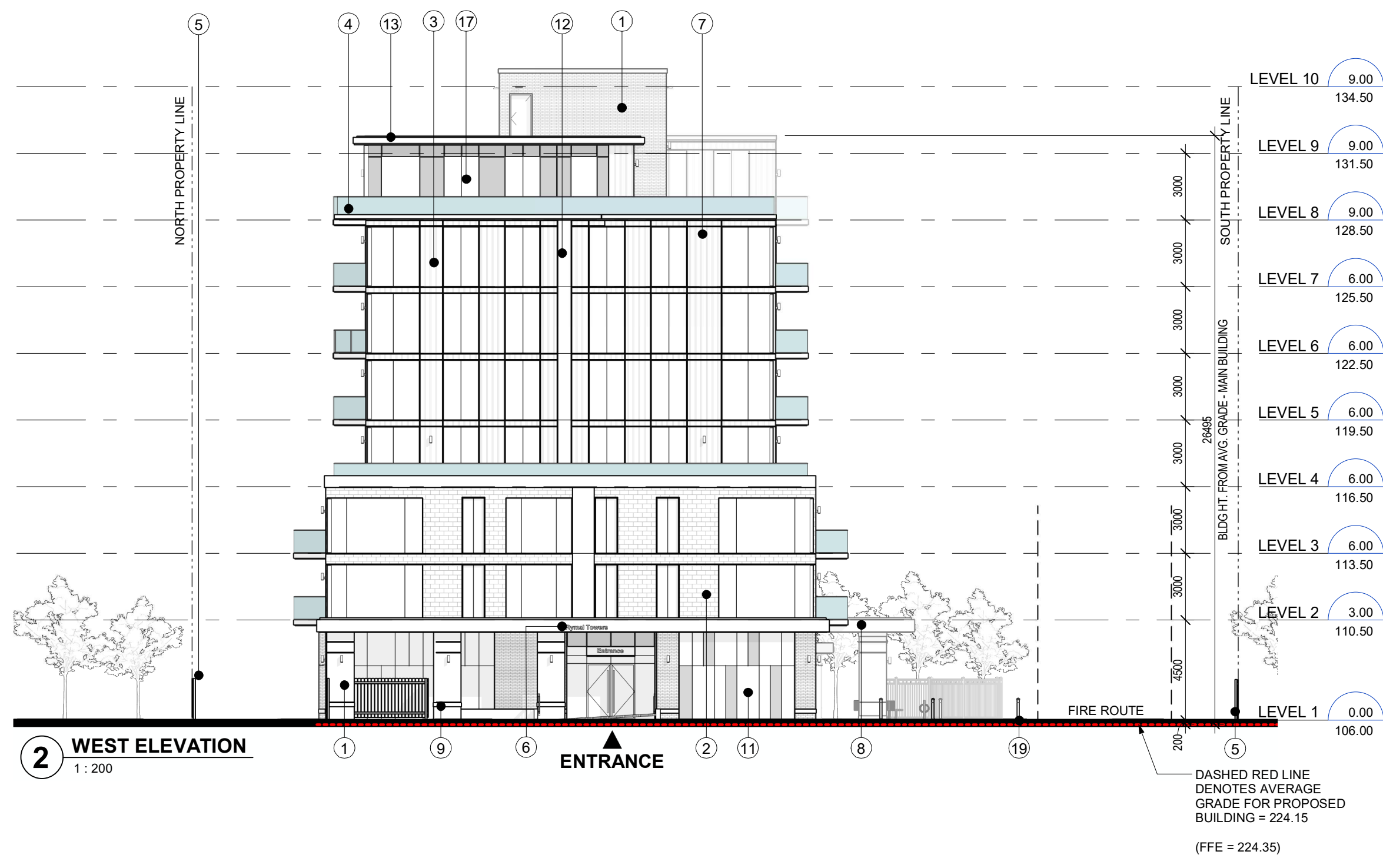
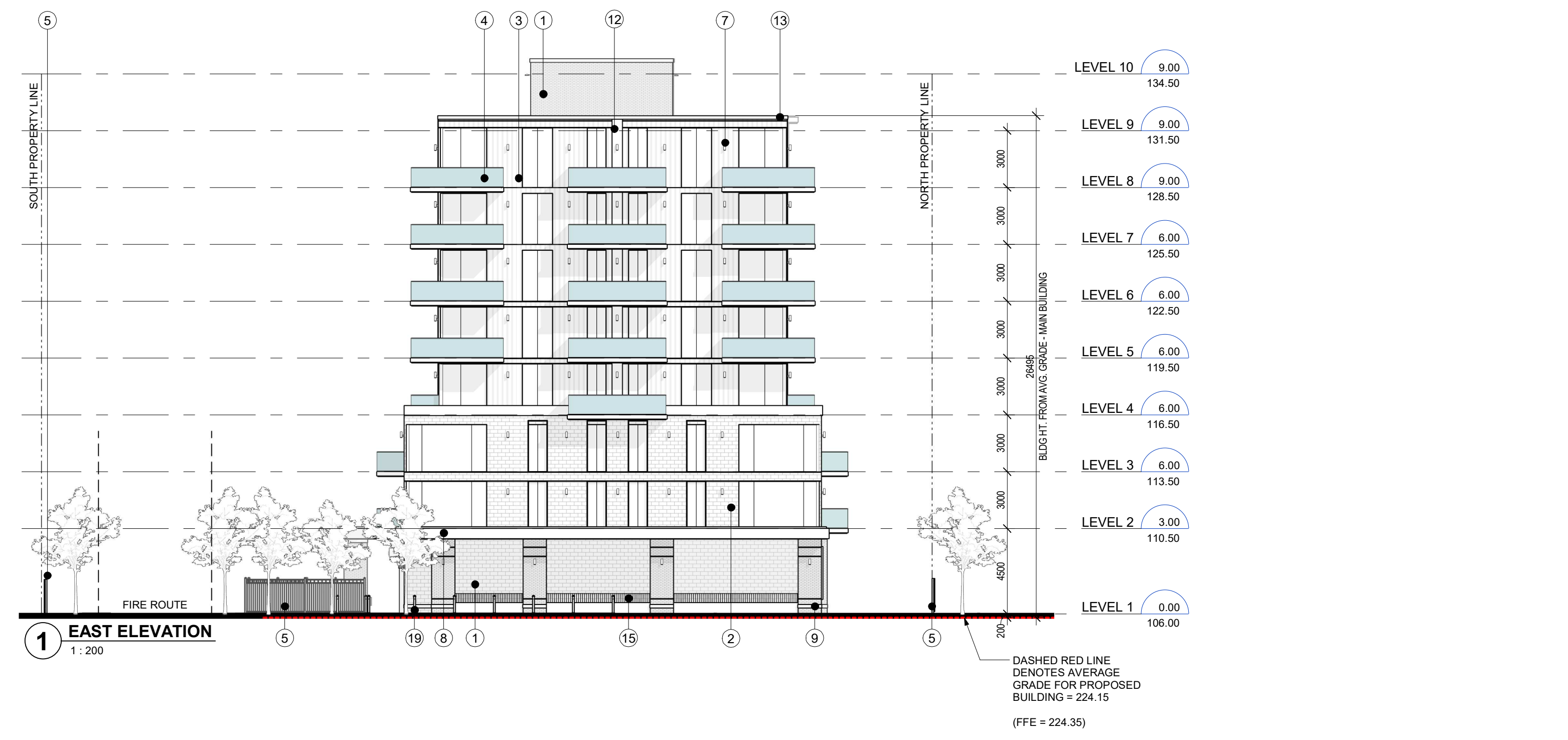


ELEVATIONS - NORTH & SOUTH  
81 & 87 RYMAL RD, HAMILTON





- MATERIALS LEGEND**
- 1 BRICK VENEER (FINISH TYPE 1)
  - 2 SMOOTH FACED STONE MASONRY (FINISH TYPE 1)
  - 3 PREFINISHED VERT. METAL SIDING C/W REVEALS
  - 4 GLAZED RAILING SYSTEM
  - 5 FENCING / SCREENING
  - 6 SIGNAGE
  - 7 TYPICAL LIGHT FIXTURE
  - 8 CANOPY FRAMING
  - 9 PRECAST SILL
  - 10 PAINTED EXTERIOR DOOR
  - 11 THERMALLY BROKEN GLAZING IN ANOD. ALUM. FRAME
  - 12 ACCENT PANELS TYPE 1
  - 13 PREFINISHED METAL CAP FLASHING
  - 14 TRANSFORMER C/W SCREENING
  - 15 FLAT BAR RAILING SYSTEM
  - 16 EXPOSED CONCRETE FINISH
  - 17 SEALED SPANDREL PANEL IN ANOD. ALUM. FRAME
  - 18 GARBAGE ENCLOSURE
  - 19 BOLLARDS





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## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Residential Intensification in the Neighbourhoods Designation</b></p> <p>Policy B.2.4.2.2</p>	<p>Residential intensification development within the “Neighbourhoods” designation shall consider matters such as, but not limited to, compatibility with adjacent land uses, relationship with nearby buildings, lot patterns, transitions in height/density, provision for amenity space, complement existing neighbourhood functions and infrastructure and transportation capacity and impacts.</p>	<p>The proposal complements the existing planned functions of the “Neighbourhoods” designation by intensifying an underutilized lot along an arterial road in proximity to a major transit route. The proposal considers transitions in height and density through the inclusion of three storey multiple dwellings (townhouses) as an intervening built form between the proposed eight storey multiple dwelling and the planned low density residential uses along the north and south side of the future DiCenzo Drive extension. The proposed eight storey multiple dwelling maintains a 45-degree angular plane from the northerly property line to establish a compatible integration of built form.</p> <p>The surrounding area is characterized by vehicle oriented commercial uses, and low density residential uses planned immediately north of the subject lands. The proposed eight storey multiple dwelling is designed to enhance the public realm by reducing the building setback to the street and landscaping surrounding the site entrance.</p>

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Residential Intensification in the Neighbourhoods Designation (Continued)</b></p> <p>Policy B.2.4.2.2</p>		<p>The proposal demonstrates the building scale is compatible with the adjacent uses by including three storey multiple dwellings (townhouses) as an intervening built form and utilizing progressive building step backs at the third and seventh storeys on the north portion of the building. In staff’s view the building scale is appropriate as the proposed building orientation and step back at the third storey minimize the perceived height and massing appearance of the building from Rymal Road East.</p>
<p><b>Urban Design Principles</b></p> <p>Policy B.3.3.2.3</p>	<p>Urban design should foster a sense of community pride and identity by respecting existing character, promoting quality design consistent with the surrounding context, streetscapes and recognize the cultural history of the City’s communities by conserving existing built heritage features, protect prominent views/sites and incorporation of public art into the design.</p>	<p>The Applicant submitted an Urban Design Brief prepared by GSP Group Inc. dated September 2022 in support of this application. It is staff’s opinion that the proposal represents good design and is an appropriate medium density residential built form that is compatible with the surrounding context and is in keeping with the urban design principles of the Urban Hamilton Official Plan, the City-Wide Corridor Design Guidelines and City’s Site Plan Guidelines.</p> <p>The proposed eight storey multiple dwelling maintains a 45-degree angular plane from the northerly property line to establish a compatible integration of built form. The proposal also includes a building step back at the third storey to reduce any massing impacts to the Rymal Road East streetscape.</p>
<p><b>Tree and Woodland Protection</b></p> <p>Policy C.2.10.1</p>	<p>The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.</p>	<p>A Tree Preservation Plan (TPP) prepared by 7 Oaks Tree Care and Urban Forestry Consultants Inc. dated March 13, 2023 was submitted in support of this application.</p>

## Appendix “E” to Report PED23216

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Tree and Woodland Protection (Continued)</b></p> <p>Policy C.2.10.1</p>		<p>The Tree Preservation Plan inventoried a total of 129 trees, including 13 municipal trees. The condition of the trees ranged between very good and dead and included 39 trees in very good condition, 46 in good condition, 18 in fair condition, 12 in poor condition and 1 dead tree. The species inventoried included Manitoba Maple, White Cedar, White Sprue, Sycamore Maple, Black Walnut, Red Oak, Green Ash, European Ash, Trembling Aspen, Bur Oak, Hawthorn, Norway Maple, Basswood, Callery Pear; and, Honeylocust. The TPP proposes to retain 29 trees and remove 100 trees, including 91 privately owned trees and nine municipal trees, to facilitate the development and accommodate internal vehicular movements on the site.</p> <p>A Landscape Concept prepared OMC Landscape Architecture dated February 25, 2023 identifies private deciduous trees to be planted along the westerly and easterly property lines and six deciduous private trees proposed adjacent to DiCenzo Drive.</p> <p>Staff are satisfied that the proposal provides opportunities for a 1:1 tree compensation as set out in the City’s Tree Protection Guidelines (2010). The Tree Preservation Plan shall be finalized at the Site Plan Control stage.</p>

## Appendix “E” to Report PED23216

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Noise, Vibration and Other Emissions</b></p> <p>Policy B.3.6.3.2 and B.3.6.3.10</p>	<p>Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.</p>	<p>The subject lands are adjacent to Rymal Road East, which is identified as a “Major Arterial” on Schedule “C” – Functional Road Classification in the Urban Hamilton Official Plan.</p> <p>A Noise Impact Study prepared by GTA Environmental dated November 7, 2021, identified that a 1.22 metre high noise barrier on the fourth and eighth floor outdoor amenity areas of the eight storey multiple dwelling are required, in addition to provisions for central air conditioning, windows/doors built to sound transmission (STC) requirements, and warning clauses incorporated into the future purchase and sale or lease agreements.</p> <p>Staff are generally satisfied with the findings of the noise study, subject to the recommended noise mitigation measures. Submission of a detailed noise study shall be required and will be implemented through the future Site Plan Control application.</p>
<p><b>Neighbourhoods Designation</b></p> <p>Policy E.3.2.1 E.3.2.3 and E.3.2.4</p>	<p>The existing character of the “Neighbourhoods” designated areas shall be maintained and be compatible with the scale and character of existing residential area. Neighbourhoods shall function as complete communities to include a full range of dwelling types and densities for purposes of servicing local residents.</p>	<p>The proposal contributes to a complete community by providing opportunities for a full range of dwelling types, tenures and densities that is in character with the existing commercial uses, while increasing the supply of housing in proximity to transit routes and community facilities to serve local residents.</p>

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Urban Corridors</b></p> <p>Policy E.2.4.10 and E.2.4.12</p>	<p>Secondary Corridors shall accommodate retail and mixed use forms in small clusters along corridors with medium density housing located between the clusters.</p> <p>Generally, consist of low to mid rise forms with some areas permitted to accommodate high rise built forms.</p>	<p>The proposal intends to achieve the planned function of the Rymal Road East Secondary Corridor through intensifying the subject lands through the development of an eight storey multiple dwelling and two, three storey multiple dwellings (townhouses) in between the cluster of existing retail and commercial uses along a major arterial road.</p> <p>The proposal represents an appropriate form of residential intensification and redevelopment along a Secondary Corridor. The proposal introduces a higher density that is well serviced by existing transit and planned to support the future higher order transit planned along Rymal Road East.</p> <p>Rymal Road East is intended as the primary site access (vehicular) for the multiple dwellings (townhouses) with underground parking shared between the eight storey multiple dwelling. The proposed underground parking is intended to limit direct vehicle access from collector roads (future DiCenzo Drive) in accordance with policy E.3.4.6 (a). The proposed multiple dwellings (townhouses) are designed to complement the public realm with building entrances overlooking a common outdoor amenity area.</p>
<p><b>Medium Density Residential</b></p> <p>Policy E.3.5.1, E.3.5.2, E.3.5.5 and E.3.5.6</p>	<p>Medium density residential uses are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads. Medium density residential built forms shall function as transition between high and low profile residential uses.</p>	<p>The proposed eight storey multiple dwelling is located on a major arterial road and on the neighbourhood periphery within convenient walking distance to existing community facilities, public transit and commercial uses.</p>



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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Medium Density Residential (Continued)</b></p> <p>Policy E.3.5.1, E.3.5.2, E.3.5.5 and E.3.5.6</p>		<p>The proposal meets the planned neighbourhood function of the medium density residential area by providing a transitional building height (i.e. three storey multiple dwellings) between the proposed eight storey multiple dwelling and existing and proposed low density residential uses located within the neighbourhood interior.</p>
<p><b>Medium Density Residential (Continued)</b></p> <p>Policy E.3.5.8</p>	<p>Medium density residential uses shall be six storeys but may be increased to 12 storeys without an Official Plan Amendment provided the proposal demonstrates a mix of unit sizes, sustainable building and design principles, limits shadow impacts and the buildings are progressively stepped back from adjacent designated “Neighbourhood” areas.</p>	<p>Staff have evaluated the proposal to permit an eight storey building height, which achieves a balance of the criteria set out in policy E.3.5.8.</p> <p>Approximately 56% (123 units) of the total 220 dwelling units of the proposal are planned as studio and one bedroom units (123 units), 32% one bedroom plus den units (71 units), and 7% two bedroom units and two bedroom plus den units (16 units), in addition to 5% three bedroom units (10 units) within the multiple dwellings (townhouses). This represents a mix of small to large unit sizes to accommodate a range of household sizes and income levels.</p> <p>The proposal intends to incorporate sustainable building and site design principles that includes native and drought tolerant landscaping, electrical vehicle charging stations, underground parking, heat pumps and occupancy-controlled lighting sensors in underground parking areas and common areas. Further details of sustainable building and design features will be addressed at the Site Plan Control Stage.</p>

## Appendix “E” to Report PED23216

Page 7 of 8

Theme and Policy	Summary of Policy or Issue	Staff Response
<p data-bbox="142 266 394 375"><b>Medium Density Residential (Continued)</b></p> <p data-bbox="142 428 344 464">Policy E.3.5.8</p>		<p data-bbox="1108 266 1919 412">The Sun Shadow Study prepared by SRM Architects Inc. demonstrates the proposal will minimize shadowing onto adjacent residential uses at the spring and fall equinoxes (March 21 and September 21).</p> <p data-bbox="1108 451 1953 850">The sun shadow study concluded that the siting and design of the building allows for a minimum of 50% sun coverage at all times of day on public spaces as per the City’s Sun Shadow Guidelines. The proposal exceeds the three hour minimum sun coverage between 10:00 a.m. and 4:00 p.m. on public sidewalks and private amenity spaces as set out in the City-Wide Corridor Planning Principles and Design Guidelines (2012). Staff are satisfied with the study findings that determined minor shadow impacts (spring equinox) between 5:03 p.m. to 6:03 p.m. on the existing residential uses located east of the subject lands.</p> <p data-bbox="1108 889 1927 1068">Staff are satisfied that the height, orientation and massing of the proposed eight storey multiple dwelling has been designed to minimize the overall sun shadow impacts on the adjacent properties, public sidewalks and the existing commercial development to the west.</p> <p data-bbox="1108 1107 1957 1360">Staff have reviewed the Angular Plane drawing prepared by SRM Architects and Urban Designs dated March 14, 2023, which demonstrates the proposed eight storey multiple dwelling is setback more than 48 metres from the rear property line and satisfies the 45 degree angular plane to address potential overshadow impacts, and maintains sunlight onto residential uses and the public realm.</p>

## Appendix "E" to Report PED23216

Page 8 of 8

Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Medium Density Residential (Continued)</b>  Policy E.3.5.8		The proposed eight storey multiple dwelling has been designed with progressive building step backs at the third and seventh storeys of the eastern façade for the southern portion of the building to ensure appropriate height transition and to reduce the appearance of the building massing from the adjacent Neighbourhood designated areas. The building design includes stepbacks at the third storey of the southerly façade to maintain appropriate height transition along Rymal Road East.

**Appendix “F” to Report PED23216**  
**Page 1 of 5**

**CONSULTATION – DEPARTMENTS AND AGENCIES**

	<b>Comment</b>	<b>Staff Response</b>
Canada Post Corporation; and, Commercial Districts and Small Business Section, Economic Development Division, Development, Planning and Economic Development Department	No Comment.	Noted.
Development Engineering Section, Growth Management Division, Planning and Economic Development Department	Development Engineering staff have no objections to approval of this Zoning By-law Amendment application subject to Holding Provisions requiring a revised Functional Servicing Report and Watermain Hydraulic Analysis, in addition to an External Works Agreement with the City for any municipal infrastructure improvements to accommodate the proposed development.	<p>The Applicant is required to submit a Functional Servicing Report and Watermain Hydraulic Analysis to the satisfaction of the City to facilitate lifting of the Holding Provision prior to final approval of any Site Plan Control application on the subject lands.</p> <p>The Owner is also required to dedicate the right-of-way width, as shown on the DiCenzo Sobie Draft Plan of Subdivision 25T-87032. The applicant is required to pay their proportional share of the cost to complete the street upon the City’s request.</p> <p>An External Works Agreement for any municipal infrastructure improvements to DiCenzo Drive shall be addressed during the future Site Plan Control stage.</p>

## Appendix “F” to Report PED23216

Page 2 of 5

	<b>Comment</b>	<b>Staff Response</b>
Legislative Approvals Section, Growth Management Division, Planning and Economic Development Department	<p>It should be confirmed if the proposed tenure is condominium and if so, whether the entire development will be under one Condominium.</p> <p>It should be determined if rear yard and / or side yard easements are required for multiple dwellings (townhouses) for access and maintenance purposes.</p> <p>Municipal addressing for the proposed development will be determined after conditional Site Plan approval is granted.</p>	<p>The Planning Justification Report, prepared by GSP Group Inc. dated October 2022, indicates the lands are proposed to be developed as one comprehensive condominium tenure accessed from Rymal Road East.</p> <p>A Holding Provision is recommended to require 81 and 87 Rymal Road East to be consolidated into one lot to facilitate a comprehensively planned condominium development.</p>
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	All trees on the Tree Preservation Plan dated September 19, 2022 shall clearly note the ownership as municipal, private (subject site) and boundary trees.	A Tree Preservation Plan and Landscape Plan will be addressed at the future Site Plan Control stage.
Landscape Architectural Services Section, Environmental Services Division, Public Works Department	Request cash in lieu of parkland dedication. Landscaped amenity areas shall not be credited as parkland dedication.	Cash in lieu of parkland dedication will be addressed at the Building Permit stage.
Infrastructure Renewal Section, Engineering Services Division, Public Works Department	<p>Rymal Road East is scheduled to be reconstructed and urbanized in 2026 along the frontage of the subject lands.</p> <p>Any surface or subsurface works proposed to connect to Rymal Road East should be completed in consideration of the projected Capital Project timelines. The Developers timing of any proposed roadworks should be</p>	Noted.

## Appendix "F" to Report PED23216

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	<b>Comment</b>	<b>Staff Response</b>
<p>Infrastructure Renewal Section, Engineering Services Division, Public Works Department <b>(Continued)</b></p>	<p>coordinated with the Public Works Department if the roadworks are expected to occur within the 2026 horizon.</p>	
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p>	<p>Transportation Planning staff are supportive of the proposed development and approve the Traffic Impact Study prepared by Paradigm Transportation Solutions Limited, dated July 2023.</p> <p>Staff note that a \$10,000 Traffic Calming Fund is required to implement future traffic calming measures to be selected and installed by the City on DiCenzo Drive in the future once the roadway has been completed.</p> <p>The Urban Hamilton Official Plan – Schedule C-2 - Future Right-of-Way Dedications identifies that Rymal Road (Major Arterial Road) is to be 36.576 metres wide. Right-of-Way dedication of 10.059 metres shall be required along the northerly portion of the subject lands to facilitate the extension of DiCenzo Drive.</p> <p>The proposed site access from Rymal Road East may be restricted to right-in/right-out vehicle traffic movements.</p>	<p>Right-of-Way dedications, road infrastructure improvements and traffic calming measures will be addressed at the future Site Plan Control stage.</p>

**Appendix "F" to Report PED23216**  
**Page 4 of 5**

	<b>Comment</b>	<b>Staff Response</b>
Waste Policy and Planning Section, Waste Management Division, Public Works Department	<p>Staff require further information on the waste storage containers/staging locations for the multiple dwellings (townhouses) to clarify if the multiple dwellings (townhouses) units will place waste within the internal waste storage room of the eight storey multiple dwelling as common collection pads not permitted in new developments.</p> <p>The proposed eight storey multiple dwelling is ineligible for municipal waste collection as sufficiently sized indoor waste containers and waste collection staging areas are required to service all dwelling units. The proposal shall follow the requirements as per the City of Hamilton Solid Waste Management By-law No. 20-221.</p>	Details on the size and locations of waste storage containers/staging areas will be addressed at the Site Plan Control stage.
Alectra	The Developer shall contact the Alectra Layouts Department for residential/commercial electrical service requirements.	Noted.
Enbridge Gas	<p>A 2 metre by 6 metre gas meter size or larger will be required to accommodate gas loads of the proposed eight storey multiple dwelling. Gas mains shall require a minimum 10 feet clearance from any windows, door, vent intakes.</p> <p>A gas main extension into the subject property will be required to service the proposed multiple dwellings (townhouses).</p>	Noted.

## Appendix "F" to Report PED23216


Page 5 of 5

	<b>Comment</b>	<b>Staff Response</b>
Hamilton International Airport	No objection to the proposed change in zoning to facilitate the proposal. The subject property is situated within the John C. Munro Hamilton International Airport Zoning Regulations (AZR), particularly the Approach Surface for Runway 24 and subject to building/structure height restrictions, vegetation growth and wildlife hazard control and compliance with prohibition of interference with aircraft communications and navigational facilities.	Compliance with the Airport Zoning Regulations will be reviewed at the future Site Plan Control stage.





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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	December 5, 2023
<b>SUBJECT/REPORT NO:</b>	Increase to Building Permit Fees (PED23188) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Jorge M. Caetano (905) 546-2424 Ext. 3931
<b>SUBMITTED BY:</b>	Alan Shaw Director, Building and Chief Building Official Planning and Economic Development Department
<b>SIGNATURE:</b>	

## RECOMMENDATION

That the By-law, attached as Appendix "A" to Report PED23188 to amend City of Hamilton By-law No. 15-058, the Building By-law, which has been prepared in a form satisfactory to the City Solicitor, be enacted.

## EXECUTIVE SUMMARY

On May 18, 2010, (Report PED10050(a)), Council directed the Building Division to adjust permit fees in January of every year to reflect budgetary increases. This Report explains the rationale for increasing the permit fees to cover the reasonable and necessary cost increases associated with budgetary increases expected in 2024. Based on projected expenses, the Building Division is proposing an increase of 2% for all permit fees.

## Alternatives for Consideration – See Page 4

## FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Approval of the revised Building Permit Fees will ensure that all direct and indirect costs associated with delivering services related to the administration and enforcement of the *Building Code Act, 1992* are fully recovered.

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Increase to Building Permit Fees (PED23188) (City Wide) - Page 2 of 4**

Staffing: Not Applicable.

Legal: The recommendations have no legal implications.

**HISTORICAL BACKGROUND**

On May 18, 2010, (Report PED10050(a)), Council directed the Building Division to adjust permit fees in January of every year to reflect budgetary increases.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Ontario Building Code and *Building Code Act, 1992*.

**RELEVANT CONSULTATION**

Legal Services Division has been consulted.

Financial Planning, Administration and Policy Division has been consulted.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Table 1 below provides a summary of the budgeted expenses under the Building Enterprise Model associated with the administration and enforcement of the *Building Code Act, 1992* for 2024.

<b>TABLE 1</b>	
<b>Building Division</b>	
<b>Statement of Expenses for the Building Enterprise Model</b>	
<b>(Budget)</b>	
<b>2024 Draft Budget</b>	
Expenses	
Direct Costs	\$ 14,797,594
Indirect Costs	<u>\$ 2,323,946</u>
<b>Total Expenses</b>	<b><u>\$ 17,121,540</u></b>

Based on budget figures, the Building Division's expenditures for 2024 are expected to increase to \$17.1 million. This increase is mainly due to increases from labour and administrative costs, including pension and other employee benefits, and increases in indirect costs which our Division will incur in 2024.

**SUBJECT: Increase to Building Permit Fees (PED23188) (City Wide) - Page 3 of 4**

Under the Ontario Building Code our Division's permit fees should cover the reasonable and necessary costs associated with the administration and enforcement of the *Building Code Act, 1992*, so that no reliance is placed on the general levy for our Division's operation. Since construction activity is cyclical in nature, staff have reviewed the permit fees revenues (permit fees and Building Code fines) for the past 3 years and based on this analysis have projected that the expected revenue for the administration and enforcement of the *Building Code Act, 1992*, for 2024 would be \$16.75 million. Based on our Division's expected expenses in 2024 of 17.12 million staff are proposing to increase permit fees by 2% (see Appendix "B" to Report PED23188) so that our projected permit fees cover the expected cost associated with budgetary increases in the cost of operations incurred in 2024.

Please note that, in order to simplify fees, the proposed 2% permit fee increase shown on the attached Appendices have been rounded off to the nearest full cent for all fees under \$100 and to the nearest full dollar for all fees over \$100.

As additional information, staff undertook a survey of the current permit fees of six Ontario Municipalities for several different classifications of permits as shown in Appendix "C" to Report PED23188. The proposed 2024 permit fees for the City of Hamilton in these classifications, with the exception of Group B Institutional, are all below the average of the sampled Municipalities. For clarification, the permit fees provided for the six municipalities are based on their current 2023 rates and do not reflect any proposed fee increase for 2024. All of our current 2023 permit fees are below the 2023 average of the six municipalities surveyed.

Staff are also proposing several housekeeping amendments in order to clarify the intent of the By-law. Additionally, staff are proposing the following new fee categories to address an increase in these types of permit applications:

- A new flat fee for an additional dwelling unit in an existing house. This will simplify the fee calculation for homeowners and applicants;
- A new flat fee for a detached additional dwelling unit in the rear yard of a house. This will simplify the permit fee calculation for homeowners and applicants;
- A new flat fee to address firefighting water reservoirs;
- A new flat fee of shelf and rack storage;
- A new flat fee for dust collectors;
- A new flat fee for paint booths; and,

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**SUBJECT: Increase to Building Permit Fees (PED23188) (City Wide) - Page 4 of 4**

- A new occupancy permit fee to allow occupancy of an unfinished non-residential building.

Increasing the permit fees to cover the reasonable and necessary costs associated with the expected rise in expenses in 2024 will ensure these costs, associated with the administration and enforcement of the *Building Code Act, 1992*, are covered by the users of the system with no reliance placed on the general levy for its operation.

**ALTERNATIVES FOR CONSIDERATION**

The alternative would be to maintain the current fees; however, this could result in having to transfer additional funds from the Building Stabilization Fund which would go against the Building Division's mandate of administering and enforcing the *Building Code Act, 1992* as a fully cost-recovered and self-funded program within the City. Maintaining the current fees would also go against Council's direction given on May 18, 2010, (Report PED10050(a)) to the Building Division to adjust permit fees in January of every year to reflect budgetary increases in the cost of operations.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED23188 - Proposed Building By-law Amendment

Appendix "B" to Report PED23188 – Existing and Proposed Fees for 2024

Appendix "C" to Report PED23188 – Permit Fee Comparison

JMC:ll

**Appendix “A” to Report PED23188  
Page 1 of 11**

**Authority:** Item , Planning and  
Economic Development  
Committee  
Report  
CM:

**Bill No.**

**CITY OF HAMILTON**

**BY LAW NO. 23-**

**To Amend By-law No. 15-058**

**A By-law Respecting Building Permits and Related Matters**

**WHEREAS** Council of the City of Hamilton desires to amend By-law No. 15-058, the Building By-law, to change Building Permit Fees;

**AND WHEREAS** public notice has been given and a public meeting held as required for this By-law;

**AND WHEREAS** section 7 of the *Building Code Act, 1992* authorizes Council of the City of Hamilton to pass by-laws concerning the issuance of permits and related matters;

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

1. Schedule “A” of By-law No. 15-058 is deleted and replaced with Schedule “A” attached to and forming part of this By-law;
2. That in all other respects, By-law 15-058 is confirmed; and
3. This By-law comes into force on January 1, 2024.

**PASSED** this                      day of                      , 2023.

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A. Horwath  
Mayor

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J. Pilon  
City Clerk

**Appendix “A” to Report PED23188  
Page 2 of 11**

**SCHEDULE “A” TO BUILDING BY-LAW NO. 15-058**

**RESPECTING CLASSES OF PERMITS AND FEES**

**PERMIT FEES**

1. Permit fees shall be calculated based on the formula given below, unless otherwise specified in this schedule:

$$\text{Permit Fee} = \text{SI} \times \text{A}$$

Where SI = Service Index for the applicable Classification under Section 3 below of the work proposed, and A = floor area in m<sup>2</sup> of work involved.

2. (a) Permit fees shall be rounded off to the nearest full dollar.
- (b) Where the permit fee is in excess of \$50,000 an applicant may elect to pay 55% of the full permit fee at the time of building permit application and the balance at the time of permit issuance.
- (c) Fees noted in this Schedule are subject to Harmonized Sales Tax (H.S.T.) where applicable.

**CLASSES OF PERMITS AND FEES**

3. Permit fees shall be calculated using the following table:

**TABLE 1 – CLASSES OF PERMITS AND FEES**

Minimum Fee	
Minimum fee for processing and issuance of permits, except where specifically noted otherwise in this By-law	\$283
Group A (Assembly Occupancies)	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
All Recreation Facilities, Elementary Schools, Daycare Facilities, Libraries, Places of Worship, Restaurants, Theatres, Arenas, Gymnasiums, Indoor Pools, Secondary Schools and all other Group A Buildings	\$26.42
Portable Classrooms	\$422 per portable
Shell only	\$22.93
Finishing only	\$6.00
Non-Residential – Outdoor Patio	\$212 (flat fee)

**Appendix “A” to Report PED23188**  
**Page 3 of 11**

<b>Group B (Institutional Occupancies)</b>	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
Institutional, Hospitals, Medical Care Facilities, Nursing Homes, and other Group B Buildings	\$31.57
Shell only	\$25.27
Finishing only	\$6.98
<b>Group C (Residential Occupancies)</b>	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
Detached house, semi-detached house or row house	\$17.79
Additional dwelling unit in an existing house	\$500 (Flat Fee)
Detached additional dwelling unit in the rear yard of a house	\$1,000 (Flat Fee)
Apartment buildings	\$17.79
Hotels, Motels	\$23.52
<b>Other Residential Work (for a detached house, semi-detached house or row house)</b>	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
Deck, balcony, open porch, stairs	\$5.20
Garage, storage shed	\$6.39
New basement, cold cellar	\$6.39
Finishing a basement	\$3.94
Residential greenhouse, open carport	\$5.20
Exterior barrier-free access	\$0.00
<b>Group D (Business and Personal Services)</b>	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
Office Buildings (up to 10 storeys) (Shell only)	\$17.76
Office Buildings (up to 10 storeys) (Finishing only)	\$5.68
Office Buildings (up to 10 storeys) (Finished)	\$23.44
Office Buildings (more than 10 storeys) (Shell only)	\$21.47
Office Buildings (more than 10 storeys) (Finishing only)	\$6.03
Office Buildings (more than 10 storeys) (Finished)	\$27.50

**Appendix “A” to Report PED23188  
Page 4 of 11**

<b>Group E (Mercantile)</b>	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
Retail (Shell only)	\$14.56
Retail (Finishing only)	\$4.92
Retail (Finished)	\$19.47
<b>Group F (Industrial)</b>	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
Industrial (Shell only)	\$8.82
Industrial (Finishing only)	\$4.82
Industrial (Finished)	\$13.65
Parking Garages	\$8.06
Gas Stations	\$14.71
<b>Subsurface Works (in addition to the regular permit fee)</b>	Flat Fee Unless otherwise indicated
Foundation Permits	
Residential under Part 9 of Division B of the Building Code	\$440
Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (up to 1200 m <sup>2</sup> )	\$1,092
Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (greater than 1200 m <sup>2</sup> )	\$3,279
Excavation and Shoring	\$12.13 per linear metre
New water service (low density residential only)	\$182
New water service when included with a complete building permit application for a new building (low density residential only)	\$163
New sewer service (low density residential only)	\$182
New sewer service when included with a complete building permit application for a new building (low density residential only)	\$163



**Appendix “A” to Report PED23188  
Page 5 of 11**

<b>Designated Structures</b>	<b>Flat Fee</b>
Retaining Wall	\$508
Crane Runway	\$508
Communication Tower	\$508
Exterior Storage Tanks and its supporting structure (including Silos)	\$508
Pedestrian Bridge/Walkway	\$508
Dish Antenna mounted on a Building (face area equal to or greater than 5 m <sup>2</sup> )	\$508
Outdoor Public Spa	\$1,040
Outdoor Public Swimming Pool	\$2,059
<b>Fire Protection Systems</b> (stand alone – excludes relocation of components for existing system)	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
Electromagnetic Locks/Electric Strikes	\$241 each (maximum \$719)
Fire Alarm System	\$422 (flat fee)
Fire Fighting Water Reservoir	\$508 (flat fee)
Emergency Lighting/Exit Signs	\$422 (flat fee)
Sprinkler System	\$0.70
Standpipe System	\$422 (flat fee)
Combined Sprinkler and Standpipe System	\$0.70 (minimum \$422)
<b>Mechanical Systems</b> (stand alone)	<b>Flat Fee</b>
Commercial Cooking Exhaust System	\$422

**Appendix “A” to Report PED23188  
Page 6 of 11**

<b>Demolition</b> (complete or partial building – not issued under Demolition Control By-law)	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
Residential – single/two family dwelling and townhouses	\$0.52
Accessory structures to a residential use or partial demolition of a single/two family dwelling and townhouses	\$0.52 (\$182 minimum)
Non-residential and multi residential	\$0.52 (\$450 minimum)
<b>Plumbing Devices</b> (stand alone)	Flat Fee
Backflow Preventer	
For first premise or zone device	\$283
For each additional premise or zone device	\$182
Backwater Valve	\$283
Grease/Oil Interceptor	\$283
<b>Renewable (Green) Energy Systems</b>	Flat Fee
Geothermal System for a Single/Two Family Dwelling	\$508
Geothermal System for all other Buildings	\$681
Solar Collector for a Single/Two Family Dwelling	\$283
Solar Collector for all other Buildings	\$508
Wind Turbine	\$508
<b>Sewage Systems</b>	Flat Fee
To construct a sewage system pursuant to the provisions of the Act	\$981
To construct a Class 5 sewage systems or to repair a sewage system pursuant to the provisions of the Act	\$601
Sewage System Maintenance Inspection Program	\$275

**Appendix “A” to Report PED23188**  
**Page 7 of 11**

Signs	Flat Fee
Ground Sign with a sign area of less than or equal to 2.5 m <sup>2</sup>	\$253
Ground Sign with a sign area of greater than 2.5 m <sup>2</sup> and up to 4.0 m <sup>2</sup>	\$445
Ground Sign with a sign area greater than 4.0 m <sup>2</sup>	\$890
Awning, Canopy, Marquee, Parapet, Projecting and Wall Signs	\$445
Billboard	\$890
Other Classifications (not previously listed)	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
Accessory structures, garage, storage shed, new basement, cold cellar, unenclosed canopies, air supported structures	\$6.39
Farm Buildings	\$3.26
Greenhouses	\$1.95 (Maximum \$6,427)
Temporary Structures	
Tents	\$2.12 (Maximum \$450)
Sales Offices	\$17.38
Construction Trailers	\$13.75
Stages	\$283 (flat fee)
Other Structures (intended to be used for less than 6 months)	\$283 (flat fee)
Residential greenhouses, deck, balcony, open porch, exterior stair, ramp, open carport, terraces, exterior roof amenity areas	\$5.20
Balcony Guard (replacement only)	\$3.06 per linear metre
Balcony Repairs (localized concrete repairs including guards)	\$30.60 per balcony
Slab Reconstruction (other than Balconies)	\$6.12
Shelf and Rack Storage	\$981 (flat fee)

**Appendix “A” to Report PED23188**  
**Page 8 of 11**

<b>Other Classifications</b> (not previously listed) (continued)	Service Index (SI) \$/m <sup>2</sup> unless otherwise indicated
Dust Collector	\$508 (flat fee)
Paint Booth	\$508(flat fee)
Alterations/partitioning/renovations to existing finished areas (where no building systems are being installed or altered), relocation/moving permits	\$3.94
Re-roofing without any structural changes (except for buildings containing less than 4 dwelling units or townhouses)	\$0.34
<b>Administrative Fees</b>	Flat Fee
Additional Plan Review (Resubmission) Where a non-compliant resubmission is submitted above and beyond the first resubmission	\$182 (per hour of review time)
Additional Permit Fee (Revision) Where an applicant makes a material change to a plan, specification, document, or other information, following the issuance of a building permit (includes first hour of review time)	\$182
For each additional hour, or part thereof, of review time	\$182
Alternative Solution Application for an Alternative Solution under Section 2.1, of Division C, of the Building Code (up to 4 hours review time)	\$657
For each additional hour, or part thereof, of review time	\$182
Applicable Law Review Review and consultation for Applicable Law requirements	\$277
Building Code Compliance Letters Written requests for information concerning a building's compliance with the current Building Code	\$182 (per hour of review time)
Change of Use Permit Change of use Permit with no construction	\$283
Conditional Permit Fee Review and approval of Conditional Permit Agreements/Undertakings	10% of permit fee (minimum \$1,183, maximum \$4,143)

**Appendix “A” to Report PED23188  
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Administrative Fees (continued)	Flat Fee
Fire Watch/Fire Plan Review and approval of Fire Watch/Fire Plans during construction	\$593
Limiting Distance Agreements For Review and approval of Limiting Distance Agreements under the Ontario Building Code	\$641
Occupancy Permit of an Unfinished Building  Occupancy Permit for an Unfinished Residential Building (fee is for each individual Occupancy Permit request)  Occupancy Permit for all other Unfinished Buildings (fee is for each individual Occupancy Permit request)	\$182 (+ \$44.50 for each additional unit)  \$593
Permit or Application Extensions Extension of a building permit or permit application where no revisions are required	\$182
Pre-Consultation Building Code preliminary design consultation/review for proposed designs prior to a complete permit application being submitted	\$182 (per hour of review time)
Premature/Additional Inspections Where an inspection request is premature and the inspector must re-attend the site to complete the necessary inspection, or an additional inspection is requested or required	\$241 (per inspection)
Stock Plans Review of stock plans for new single-family dwellings in a Plan of Subdivision prior to a complete permit application being submitted	\$460
Suspended Permit Where an inspection is requested for a Permit that has been suspended	\$241 (per inspection)
Transfer of Permit Where ownership changes on a property and there are no other changes to the project or the professional services required.	\$182

**Appendix “A” to Report PED23188**  
**Page 10 of 11**

4. Where no new floor area is created, or where materials, systems or equipment regulated by the Building Code render it impossible to determine the permit fee on the basis of the classifications noted in this Schedule, the permit fee payable shall be 1% of the prescribed value as determined by the Chief Building Official under Subsection 6.1 of this By-law, subject to a minimum fee as per Section 3 of this Schedule.
5. The total fees under this Schedule and Schedule “C” shall be paid prior to the issuance of a permit.

6. **INTERPRETATION**

In addition to referring to the Act and the Building Code in determining the fees under this By-law, the Chief Building Official may have regard to the following explanatory notes as may be needed in the calculation of permit fees:

- (a) Floor area of the proposed work is to be measured to the outer face of exterior walls and to the centre line of party walls or demising walls (but excluding residential garages);
- (b) In the case of interior alterations or renovations, area of proposed work is the actual space receiving the work (e.g. tenant space);
- (c) Mechanical penthouses and floors, mezzanines, lofts, habitable attics, balconies, terraces and exterior roof amenity areas are to be included in all floor area calculations;
- (d) Except for interconnected floor spaces, no deduction is made for openings within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, and similar openings);
- (e) Unfinished basements for single family dwellings, semis, duplexes and townhouses are not included in the floor area;
- (f) Attached garages and fireplaces are included in the permit fee for individual dwelling units;
- (g) Where interior alterations and renovations require relocation of sprinkler heads or fire alarm components, no additional charge is applicable;
- (h) Corridors, lobbies, washrooms, lounges, and similar areas are to be included and classified according to the major classification for the floor area on which they are located;
- (i) The occupancy categories in the Schedule correspond with the occupancy classifications in the Building Code. For mixed occupancy floor areas, the Service Index for each applicable occupancy category shall be used with the floor area associated with the occupancy.

**Appendix "A" to Report PED23188**

**Page 11 of 11**

- (j) A temporary building is considered to be a building that will be erected for not more than one year; and,
- (k) Where a change of use permit is subject to a fee based on floor area, "floor area" shall mean the total floor space of all storeys subject to the change of use.

**Existing and Proposed Fees for 2024**  
(\$ per square metre unless otherwise noted)

Classes of Permits and Fees	Existing 2023 Fee	Proposed 2024 Fee (2% Increase)
Minimum Fee	\$277	\$283
<b>Group A (Assembly Occupancies)</b>		
All Recreation Facilities, Elementary Schools, Daycare Facilities, Libraries, Places of Worship, Restaurants, Theatres, Arenas, Gymnasiums, Indoor Pools, Secondary Schools and all other Group A Buildings	\$25.90	\$26.42
Portable Classrooms	\$414 per portable	\$422 per portable
Shell Only	\$22.48	\$22.93
Finishing Only	\$5.88	\$6.00
Non-Residential - Outdoor Patio	\$208 (flat fee)	\$212 (flat fee)
<b>Group B (Institutional Occupancies)</b>		
Institutional, Hospitals, Medical Care Facilities, Nursing Homes, and other Group B Buildings	\$30.95	\$31.57
Shell Only	\$24.77	\$25.27
Finishing Only	\$6.84	\$6.98
<b>Group C (Residential Occupancies)</b>		
Detached house, semi-detached house or row house	\$17.44	\$17.79
Additional dwelling unit in an existing house	New Fee	\$500 (Flat Fee)
Detached additional dwelling unit in the rear yard of a house	New Fee	\$1,000 (Flat Fee)
Apartment Buildings	\$17.44	\$17.79
Hotels, Motels	\$23.06	\$23.52
<b>Other Residential Work (for a detached house, semi or row house)</b>		
Deck, balcony, open porch, stairs	\$5.10	\$5.20
Garage, storage shed	\$6.26	\$6.39
New basement, cold cellar	\$6.26	\$6.39
Finishing a basement	\$3.86	\$3.94
Residential greenhouse, open carport	\$5.10	\$5.20
Exterior barrier-free access	\$0.00	\$0.00



<b>Classes of Permits and Fees</b>	<b>Existing 2023 Fee</b>	<b>Proposed 2024 Fee (2% Increase)</b>
<b>Group D (Business and Personal Services)</b>		
Office buildings (up to 10 storeys) (Shell only)	\$17.41	\$17.76
Office Buildings (up to 10 storeys) (finishing only)	\$5.57	\$5.68
Office Buildings (up to 10 storeys) (finished)	\$22.98	\$23.44
Office Buildings (more than 10 storeys) (shell only)	\$21.05	\$21.47
Office Buildings (more than 10 storeys) (finishing only)	\$5.91	\$6.03
Office Buildings (more than 10 storeys) (finished)	\$26.96	\$27.50
<b>Group E (Mercantile)</b>		
Retail (Shell only)	\$14.27	\$14.56
Retail (finishing only)	\$4.82	\$4.92
Retail (finished)	\$19.09	\$19.47
<b>Group F (Industrial)</b>		
Industrial (Shell Only)	\$8.65	\$8.82
Industrial (Finishing Only)	\$4.73	\$4.82
Industrial (Finished)	\$13.38	\$13.65
Parking Garages	\$7.90	\$8.06
Gas Stations	\$14.42	\$14.71
<b>Subsurface Works (in addition to the regular permit fee)</b>	<b>Flat Fee</b>	<b>Flat Fee</b>
Foundation Permits		
Residential under Part 9 of Division B of the Building Code	\$431	\$440
Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (up to 1 200 m <sup>2</sup> )	\$1,071	\$1,092
Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (greater than 1 200 m <sup>2</sup> )	\$3,215	\$3,279
Excavation and Shoring	\$11.89 per linear metre	\$12.13 per linear metre
New water service (low density residential only)	\$178	\$182

<b>Classes of Permits and Fees</b>	<b>Existing 2023 Fee</b>	<b>Proposed 2024 Fee (2% Increase)</b>
<b>Subsurface Works</b> (in addition to the regular permit fee) (continued)	<b>Flat Fee</b>	<b>Flat Fee</b>
New water service when included with a complete building permit application for a new building (low density residential only)	\$160	\$163
New Sewer Service (low density residential only)	\$178	\$182
New sewer service when included with a complete building permit application for a new building (low density residential only)	\$160	\$163
<b>Designated Structures</b>	<b>Flat Fee</b>	<b>Flat Fee</b>
Retaining Wall	\$498	\$508
Crane Runway	\$498	\$508
Communication Tower	\$498	\$508
Exterior Storage Tanks and its supporting structure (including Silos)	\$498	\$508
Pedestrian Bridge/Walkway	\$498	\$508
Dish Antenna mounted on a Building (face area $\geq 5 \text{ m}^2$ )	\$498	\$508
Outdoor Public Spa	\$1,020	\$1,040
Outdoor Public Swimming Pool	\$2,019	\$2,059
<b>Fire Protection Systems</b> (Stand Alone - excludes relocation of components for an existing system)		
Electromagnetic Locks/Electric Strikes	\$236 each (maximum \$705)	\$241 each (maximum \$719)
Fire Alarm System	\$414 (Flat Fee)	\$422 (Flat Fee)
Fire Fighting Water Reservoir	<b>New Fee</b>	\$508 (Flat Fee)
Emergency Lighting/Exit Signs	\$414 (Flat Fee)	\$422 (Flat Fee)
Sprinkler System	\$0.69	\$0.70
Standpipe System	\$414 (Flat Fee)	\$422 (Flat Fee)
Combined Sprinkler and Standpipe System	\$0.69 (minimum \$414)	\$0.70 (minimum \$422)
<b>Mechanical Systems</b> (Stand Alone)	<b>Flat Fee</b>	<b>Flat Fee</b>
Commercial Cooking Exhaust System	\$414	\$422

<b>Classes of Permits and Fees</b>	<b>Existing 2023 Fee</b>	<b>Proposed 2024 Fee (2% Increase)</b>
<b>Demolition</b> (complete or partial building - not issued under Demolition Control By-law)		
Residential - Single/Two Family Dwelling and Townhouses	\$0.51	\$0.52
Accessory structures to a residential use or partial demolition of a single/two family dwelling and townhouses	\$0.51 (\$178 minimum)	\$0.52 (\$182 minimum)
Non-Residential and Multi-Residential	\$0.51 (\$441 minimum)	\$0.52 (\$450 minimum)
<b>Plumbing Devices</b> (Stand Alone)	<b>Flat Fee</b>	<b>Flat Fee</b>
Backflow Preventer		
For First premise or zone device	\$277	\$283
For each additional premise or zone device	\$178	\$182
Backwater Valve	\$277	\$283
Grease/Oil Interceptor	\$277	\$283
<b>Renewable (Green) Energy Systems</b>	<b>Flat Fee</b>	<b>Flat Fee</b>
Geothermal System for a Single/Two Family Dwelling	\$498	\$508
Geothermal System for all other buildings	\$668	\$681
Solar Collector for a Single/Two Family Dwelling	\$277	\$283
Solar Collector for all other buildings	\$498	\$508
Wind Turbine	\$498	\$508
<b>Sewage Systems</b>	<b>Flat Fee</b>	<b>Flat Fee</b>
To construct a sewage system pursuant to the provisions of the Act	\$962	\$981
To construct a Class 5 sewage system or to repair a sewage system pursuant to the provisions of the Act	\$589	\$601
Sewage System Maintenance Inspection Program	\$270	\$275

<b>Classes of Permits and Fees</b>	<b>Existing 2023 Fee</b>	<b>Proposed 2024 Fee (2% Increase)</b>
<b>Signs</b>	<b>Flat Fee</b>	<b>Flat Fee</b>
Ground Sign with a sign area of less than or equal to 2.5 m <sup>2</sup>	\$248	\$253
Ground Sign with a sign area greater than 2.5 m <sup>2</sup> and up to 4.0 m <sup>2</sup>	\$436	\$445
Ground Sign with a sign area greater than 4.0 m <sup>2</sup>	\$873	\$890
Awning, Canopy, Marquee, Parapet, Projecting and Wall Signs	\$436	\$445
Billboard	\$873	\$890
<b>Other Classifications (not previously listed)</b>		
Accessory structures, garage, storage shed, new basement, cold cellar, silo, unenclosed canopies, air supported structures	\$6.26	\$6.39
Farm Buildings	\$3.20	\$3.26
Greenhouses	\$1.91 (maximum \$6,301)	\$1.95 (maximum \$6,427)
Temporary Structures		
Tents	\$2.08 (maximum \$441)	\$2.12 (maximum \$450)
Sales Offices	\$17.04	\$17.38
Construction Trailers	\$13.48	\$13.75
Stages	\$277 (flat fee)	\$277 (flat fee)
Other Structures (intended to be used for less than 6 months)	\$277 (flat fee)	\$277 (flat fee)
Residential Greenhouses, deck, balcony, open porch, exterior stair, ramp, open carport, terraces, exterior roof amenity areas	\$5.10	\$5.20
Balcony Guard (replacement only)	\$3.00 per linear metre	\$3.06 per linear metre
Balcony Repairs (localized concrete repairs including guards)	\$30.00 per balcony	\$30.60 per balcony
Slab Reconstruction (other than Balconies)	\$6.00	\$6.12
Shelf and Rack Storage	<b>New Fee</b>	<b>\$981 (flat fee)</b>
Dust Collector	<b>New Fee</b>	<b>\$508 (Flat Fee)</b>

Classes of Permits and Fees	Existing 2023 Fee	Proposed 2024 Fee (2% Increase)
<b>Other Classifications (not previously listed) (continued)</b>		
Paint Booth Alterations/partitioning/renovations to existing finished areas (where no building systems are being installed or altered), relocation/moving permits Re-roofing without any structural changes	<b>New Fee</b>  <b>\$3.86</b>  <b>\$0.33</b>	<b>\$508 (Flat Fee)</b>  <b>\$3.94</b>  <b>\$0.34</b>
<b>Administrative Fees</b>		
<b>Additional Plan Review (Resubmission)</b>	<b>Flat Fee</b>	<b>Flat Fee</b>
Where a non-compliant resubmission is submitted above and beyond the first resubmission	<b>\$178 (per hour of review time)</b>	<b>\$182 (per hour of review time)</b>
<b>Additional Permit Fee (Revision)</b>		
Where an applicant makes a material change to a plan, specification, document, or other information, following the issuance of a building permit (includes first hour of review time)	<b>\$178</b>	<b>\$182</b>
For each additional hour or part thereof of review time	<b>\$178</b>	<b>\$182</b>
<b>Alternative Solution</b>		
Application for an Alternative Solution under Section 2.1, of Division C, of the Building Code (up to 4 hours review time)	<b>\$644</b>	<b>\$657</b>
For each additional hour or part thereof of review time	<b>\$178</b>	<b>\$182</b>
<b>Applicable Law Review</b>		
Review and consultation for applicable law requirements	<b>\$272</b>	<b>\$277</b>
<b>Building Code Compliance Letters</b>		
Written requests for information concerning a building's compliance with the current Building Code	<b>\$178 (per hour of review time)</b>	<b>\$182 (per hour of review time)</b>
<b>Change of Use Permit</b>		
Change of use Permit with no construction	<b>\$277</b>	<b>\$283</b>
<b>Conditional Permit Agreement/Undertaking</b>		
Review and approval of Conditional Permit Agreement/Undertaking	<b>10% of permit fee (Minimum \$1,160, Maximum \$4062)</b>	<b>10% of permit fee (Minimum \$1,183, Maximum \$4,143)</b>
<b>Fire Watch/Fire Plan Review</b>		
Review and approval of Fire Watch/Fire Plans during construction	<b>\$581</b>	<b>\$593</b>

Classes of Permits and Fees	Existing 2023 Fee	Proposed 2024 Fee (2% Increase)
<b>Administrative Fees</b> (continued)	<b>Flat Fee</b>	<b>Flat Fee</b>
<b>Limiting Distance Agreements</b> For review and approval of Limiting Distance Agreements under Sentence 3.2.3.1.(8), 9.10.14.2.(4) or 9.10.15.2.(4), of Division B, of the Building Code	\$628	\$641
<b>Occupancy Permit of an Unfinished Building</b> Occupancy Permit for an Unfinished Residential Building (fee is for each individual Occupancy Permit request)	\$178 (per unit)	\$182 (+ \$44.50 for each additional unit)
Occupancy Permit for an Unfinished Residential Building (fee is for each individual Occupancy Permit request)	<b>New Fee</b>	<b>\$593</b>
<b>Permit or Application Extensions</b> Extension of building permit or permit application where no revisions are required	\$178	\$182
<b>Pre-Consultation</b> Building Code preliminary design consultation/review for proposed designs prior to a complete permit application being submitted	\$178 (per hour of review time)	\$182 (per hour of review time)
<b>Premature/Additional Inspections</b> Where an inspection request is premature and the inspector must re-attend the site to complete the necessary inspection, or an additional inspection is requested or required	\$236 (per inspection)	\$241 (per inspection)
<b>Stock Plans</b> Review of stock plans for new single family dwellings in a Plan of Subdivision prior to a complete permit application being submitted	\$451	\$460
<b>Suspended Permit</b> Where an inspection is requested for a permit that has been suspended	\$236 (per inspection)	\$241 (per inspection)
<b>Transfer of Permit</b> Where ownership changes on a property and there are no other changes to the project or the professional services required	\$178	\$182

## Permit Fee Comparison


Municipality <sup>1</sup>	Group A Restaurant	Group B Institutional	Group C Residential House	Group D Offices (2 Storeys)	Group E Retail (Finished)	Group F Industrial Building (3000 m <sup>2</sup> ) (Finished)
Brampton (2023)	\$18.27	\$23.17	\$16.24	\$17.67	\$17.67	\$11.59
Burlington (2023)	\$30.24	\$34.27	\$21.36	\$29.71	\$29.71	\$16.53
Cambridge (2023)	\$31.43	\$35.63	\$17.01	\$25.19	\$18.73	\$12.49
Mississauga (2023)	\$25.98	\$28.87	\$18.44	\$23.15	\$19.32	\$14.44
Oakville (2023)	\$30.00	\$34.30	\$17.80	\$23.70	\$23.70	\$19.10
Toronto (2023)	\$28.61	\$30.44	\$17.16	\$22.62	\$19.20	\$15.73
<b>Average (2023 Fees)</b>	<b>\$27.42</b>	<b>\$31.11</b>	<b>\$18.00</b>	<b>\$23.67</b>	<b>\$21.39</b>	<b>\$14.98</b>
<b>Hamilton (Existing 2023 Fees)</b>	<b>\$25.91</b>	<b>\$30.95</b>	<b>\$17.44</b>	<b>\$22.98</b>	<b>\$19.11</b>	<b>\$13.41</b>
<b>Hamilton (Proposed 2024 Fees)</b>	<b>\$26.43</b>	<b>\$31.57</b>	<b>\$17.79</b>	<b>\$23.44</b>	<b>\$19.49</b>	<b>\$13.68</b>

**Notes:**

1. The permit fees provided for the above noted municipalities are based on 2023 rates and do not reflect any proposed fee increase for 2024.



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Growth Management Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	December 5, 2023
<b>SUBJECT/REPORT NO:</b>	Farm 911 – Emergency Access Point Program (PED23209) (Wards 9, 10, 11, 12, 13 and 15)
<b>WARD(S) AFFECTED:</b>	Wards 9, 10, 11, 12, 13 and 15
<b>PREPARED BY:</b>	Heather Travis (905) 546-2424 Ext. 2978
<b>SUBMITTED BY:</b>	Ashraf Hanna Director of Growth Management and Chief Development Engineer Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That the Farm 911 – Emergency Access Point Policy, attached as Appendix “A” to Report PED23209, be approved.
- (b) That the amendments to the City of Hamilton Municipal Addressing Policy to implement the Farm 911 – Emergency Access Point Policy, attached as Appendix “B” to Report PED23209, be approved.
- (c) That \$94,850 from the Economic Development Reserve Fund (Account # 112221) be approved through the 2024 capital budget process for the Farm 911 – Emergency Access Point program.

### EXECUTIVE SUMMARY

Vacant agricultural farm fields in Rural Hamilton generally do not have municipal address numbers assigned. This lack of a municipal address number can create challenges for emergency services in locating the farm parcel in the event of an emergency. Farm 911 is a program with a goal to ensure that all vacant agricultural farm parcels are assigned an Emergency Access Point number to allow for ease of property identification and speedier emergency response.

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.



**SUBJECT: Farm 911 – Emergency Access Point Program (PED23209) (Wards 9, 10, 11, 12, 13 and 15) - Page 2 of 9**

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In response to direction from the Agricultural and Rural Affairs Sub-Committee, staff are proposing to implement the Farm 911 – Emergency Access Point program in Hamilton. The program will run as a voluntary program and will be offered at no cost to eligible applicants, as per the direction from the Sub-Committee. Staff have confirmed that funding is available to support the capital costs associated with the fabrication and installation of the Farm 911 – Emergency Access Point signage. Staff operating costs can be absorbed through the existing complement of FTEs.

The Farm 911 – Emergency Access Point policy attached as Appendix “A” to Report PED23209 identifies the application requirements, criteria and process for the Farm 911 – Emergency Access Point program.

To ensure that this important public safety initiative will be communicated widely to the rural community, staff will work with City Communications staff to develop a marketing campaign targeted to Rural Hamilton upon approval of the program.

**Alternatives for Consideration – See Page 9**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: A summary of the estimated capital costs for the program is provided below. The summary is based on the following assumptions:

- There are approximately 280 vacant agricultural properties which may be eligible for a Farm 911 – Emergency Access Point sign. Further, larger properties with multiple road frontages may apply for more than one sign per property;
- Assume half of eligible properties (140) will make application in the first year of the program. Of those 140 properties, 25% (35 properties) will request an additional Farm 911 – Emergency Access Point number and sign for a second existing access point on the property;
- Assume that 70 properties make application in the second and third years, with 25% (18 properties) requesting an extra sign each year. Future years will be reviewed on annual basis;
- Cost of sign fabrication (2023): \$70 / sign;
- Cost of sign installation (2023): \$188 / sign; and,
- Total cost of sign fabrication + installation (2023): \$258 / sign, plus assumed inflationary increase in future years;

Year 1:

Capital cost – sign fabrication: \$12,250

Capital cost – sign installation: \$32,900

**SUBJECT: Farm 911 – Emergency Access Point Program (PED23209) (Wards 9, 10, 11, 12, 13 and 15) - Page 3 of 9**

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Year 2:

Capital cost – sign fabrication: \$6,500

Capital cost – sign installation: \$17,600

Year 3:

Capital cost – sign fabrication: \$6,900

Capital cost – sign installation: \$18,700

Total capital costs based on the assumptions above represent approximately \$94,850 for the first three years of the program, which will be subsidized through the funds allocated from the Economic Development Reserve Fund. As per recommendation (c) of this Report, funding of \$94,850 for the program shall be approved through the 2024 capital budget process.

In terms of operating costs, staff in Growth Management will be responsible for reviewing and assigning Farm 911 – Emergency Access Point numbers and updating City mapping and staff in the Transportation Operations Division will be responsible for fabrication and installation of signage. These operating costs shall be absorbed through each Division.

**Staffing:** It is not anticipated that any additional FTEs are required to support the Farm 911 – Emergency Access Point program.

**Legal:** N/A

## **HISTORICAL BACKGROUND**

### **Agriculture and Rural Affairs Advisory Committee**

At its meeting on January 18, 2021, the Agriculture and Rural Affairs Advisory Committee provided the following direction to staff:

“That the Agriculture and Rural Affairs Advisory Committee respectfully requests that appropriate City staff be directed to develop a framework to provide emergency 911 signs to owners of unidentified farm properties in Hamilton, at their request, at no cost to the applicant.”

This direction was confirmed by Council on February 24, 2021.

Important information arising from this direction is that the program, which is intended to be voluntary, shall be provided at no cost to the applicant. Funding for the program is identified in the Financial Implications section above.

**SUBJECT: Farm 911 – Emergency Access Point Program (PED23209) (Wards 9, 10, 11, 12, 13 and 15) - Page 4 of 9**

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Further, the program is to apply to ‘unidentified farm properties’. Staff have interpreted this direction to be applicable to vacant parcels in Rural Hamilton which are classified as agricultural farm fields, generally in the size range of 10 ha or greater.

**What is Farm 911?**

The Farm 911 program is also referred to as “The Emily Project”. The program was inspired by an unfortunate accident involving a young girl named Emily Trudeau on a family farm in Ontario. Emily was injured on a farm property which did not have a municipal address, making her location difficult for emergency responders to find. Emily unfortunately died from her injuries. The goal of the Farm 911 project is to ensure that all vacant agricultural farm parcels, which traditionally would not receive a separate civic address, are assigned an Emergency Access Point number to allow for ease of property identification and speedier emergency response.

Many municipalities in Ontario have already implemented this program including Ottawa, Belleville, Haldimand County, Clarington, Pelham, Prince Edward County, Northumberland and Wainfleet. Staff have conducted research into the processes and lessons learned from these other municipalities and have used the information to inform the Farm 911 – Emergency Access Point Policy attached as Appendix “A” to this Report.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS****City of Hamilton Municipal Address Policy**

The City’s current Municipal Addressing Policy was approved by Council in 2005. The policy outlines the rules governing the assignment of municipal address numbers, including how addressing is assigned to different types of land uses.

Staff have identified amendments which will be required to this Council-approved policy to facilitate the Farm 911 – Emergency Access Point Program, including the following:

- Policy 2(l) states that addresses will not be assigned to vacant lands until such time as a building permit application has been submitted. This policy is consistent with the general approach of not assigning addresses to vacant lands. Addressing is typically triggered by a building permit application or other type of development application. The Farm 911 – Emergency Access Point Program is an exception to this general approach in recognition of the size of vacant agricultural parcels in the rural area, and the fact that the parcels are actively farmed and may need to be accessed by emergency responders. Policy 2(l) will therefore be amended to recognize that the policy is speaking to the assignment

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**SUBJECT: Farm 911 – Emergency Access Point Program (PED23209) (Wards 9, 10, 11, 12, 13 and 15) - Page 5 of 9**

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- of municipal civic address numbers and not Farm 911 – Emergency Access Point numbers;
- Section 4.0 addresses Policies for the Rural Area. Staff propose to amend this Section to recognize the Farm 911 – Emergency Access Point program. Of note, Section 4(c) speaks to “911 Rural Numbering Signs”. The Rural 911 signs referenced in this policy are the green and white municipal address signs common throughout the Rural area. These signs display municipal address numbers and are assigned to occupied farm parcels typically at the time of a building permit application. These signs are not intended to be applied to vacant agricultural fields. There is also an application fee for the green and white signs. Section 4.0 will be amended to differentiate the green and white Rural 911 signs from the Farm 911 – Emergency Access Point program; and,
  - Section 5.0 will be amended to clarify that a Farm 911 – Emergency Access Point Application Form may be submitted at no charge. Fabrication and installation of signage is also clarified to be free of charge.

The amendments to the Municipal Addressing Policy are attached as Appendix “B” to Report PED23209. Once approved, the Farm 911 – Emergency Access Point policy will be attached as a new appendix to the Municipal Addressing Policy.

### **Rural Sign By-law 02-312**

The Rural Sign By-law 02-312 provides direction related to the green and white rural municipal addressing signs. Staff note that the Farm 911 – Emergency Access Point Program is different from the green and white addressing signs and therefore aspects of the Rural Sign By-law are not applicable to the proposed Farm 911 – Emergency Access Point Program. In particular, the Rural Sign By-law appears to apply to addressing of buildings on lots, whereas Farm 911 applies to vacant lots. Further, the By-law directs that a fee shall be paid for the services of providing a green and white addressing sign, whereas the Farm 911 – Emergency Access Point program is intended to be a free of charge service.

Staff do not propose to repeal or replace the Rural Sign By-law 02-312 as it remains applicable for addressing of new buildings in the rural area. Instead, as noted above, staff are proposing to amend the City’s Municipal Addressing Policy, attached as Appendix “B” to Report PED23209 to provide clarification to differentiate between the two types of rural signage and to provide appropriate direction for the Farm 911 – Emergency Access Point Program.

Staff further note that a new City-Wide Addressing By-law is proposed to be brought forward in 2024 as currently one does not exist. Staff will review at that time whether the Rural Sign By-law may be repealed if deemed redundant with the new Addressing By-law.

**SUBJECT: Farm 911 – Emergency Access Point Program (PED23209) (Wards 9, 10, 11, 12, 13 and 15) - Page 6 of 9**

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## **RELEVANT CONSULTATION**

### **Agriculture and Rural Affairs Sub-Committee (formerly Agriculture and Rural Affairs Advisory Committee)**

As noted above, the direction to implement a Farm 911 – Emergency Access Point program was provided by the Agriculture and Rural Affairs Advisory Committee in 2021. Since that time, staff has provided project updates at several meetings of the Agricultural and Rural Affairs Sub-Committee (ARASC). Most recently, staff provided a project update presentation and had a discussion on the proposed approach for the Farm 911 program on June 29, 2023 and provided the final proposed Farm 911 – Emergency Access Point policy for the review of the ARASC at the November meeting.

### **City Staff / Agencies**

The following City divisions and outside agencies have provided input through the Farm 911 – Emergency Access Point Program working group and provided comments on the proposed policy:

- Transportation Division, Public Works Department;
- Information Technology Division, Corporate Services Department;
- Legal and Risk Management Services Division, Corporate Services Department;
- Economic Development Division, Planning & Economic Development Department;
- Hamilton Fire Department, Healthy & Safe Communities Department;
- Hamilton Paramedic Services, Healthy & Safe Communities Department;
- Hamilton Police Services; and,
- Bell Canada

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. Staff support the development of the Farm 911 – Emergency Access Point Program as directed by the Agriculture and Rural Affairs Sub-Committee for the following reasons:
  - Addressing and property identification is key to public safety: emergency services personnel have confirmed that the addressing of vacant agricultural parcels through the Farm 911 – Emergency Access Point Program will improve their ability to locate and access these properties. Agricultural fields can be large and have multiple access points. Further, while the fields may be vacant, significant activity takes place on the parcels with farm workers and farm families working the fields in

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**SUBJECT: Farm 911 – Emergency Access Point Program (PED23209) (Wards 9, 10, 11, 12, 13 and 15) - Page 7 of 9**

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sometimes dangerous conditions. The City recognizes the important role that municipal addressing plays in ensuring efficient access to properties in emergency situations, and this recognition should be applied to vacant agricultural parcels as well;

- Differentiating these signs through different colour signage (see below) makes it easy for emergency services to identify vacant properties as opposed to built properties;
- Other municipalities have successfully implemented the program: staff research has found that the Farm 911 – Emergency Access Point Program has been successfully implemented in numerous municipalities across Ontario. The City can benefit from the lessons learned in these other municipalities and staff have drafted the attached policy to use best practices used elsewhere; and,
- Available funding: Staff have reviewed the proposal in terms of estimated capital and operating costs and determined the program can be implemented free of charge to eligible property owners, as directed by the Agricultural and Rural Affairs Sub-Committee. Funding has been identified through the Economic Development Reserve Fund. Further, staff in impacted Sections have estimated the impact of implementing this program can be absorbed within the existing complement of FTEs (see financial impacts section above). Staff note that some landowners grant public access to their lands for recreational usage which provides further justification for offering the program at no charge.

2. The proposed Farm 911 – Emergency Access Point policy is attached as Appendix “A” to Report PED23209. Key points to highlight include:

- The program is being implemented as a voluntary program, and property owners will not be required to apply for an Emergency Access Point number. As further noted below, a public awareness campaign will be undertaken to ensure the program is widely marketed in the rural area.
- The Emergency Access Point program is applicable to vacant agricultural and rural properties only which otherwise would not receive a civic address through the normal course of a building permit or development application. All vacant agricultural parcels within Rural Hamilton will be eligible to apply for an Emergency Access Point number. Note that vacant properties are defined as those properties which do not contain a building or structure requiring a permit under the Ontario Building Code. As the Emergency Access Point program is intended to facilitate the addressing of farm fields, properties within the Rural Settlement Areas are not eligible for an Emergency Access Point number;
- A maximum of one Emergency Access Point number shall be assigned per existing access point. For large properties with multiple access points,

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separate Emergency Access Point numbers may be assigned to individual access points on the same property if it is deemed necessary to improve ease of identification of the access. Staff, in consultation with the property owner, shall determine if additional Emergency Access Point numbers may be required for additional existing access points on a property; and,

- The Emergency Access Point number shall not be used as a mailing address and is only intended to identify the location of an access point for emergency services. Further, the Emergency Access Point number does not permit further use or development of the property without proper municipal and /or other approvals.

3. Staff across various Divisions have worked together to design a process for implementation of the Farm 911 – Emergency Access Point Program. Key points of interest related to implementation include the following:

- As noted above, the direction provided by the Agriculture and Rural Affairs Sub-Committee was to provide Farm 911 – Emergency Access Point signs to applicants at no charge. The policy attached as Appendix “A” to Report PED23209 confirms this direction by identifying that there shall be no fee associated with a Farm 911 – Emergency Access Point application, and further, no costs associated with the fabrication or installation of the Emergency Access Point signage. Financial details are provided in the Financial Implications section above;
- Public Works staff have determined that the Farm 911 - Emergency Access Point signs shall be red with white numbering. This colouring will distinguish these signs from the standard green and white civic addressing signage in the rural area; and,
- Applicants will be required to sign a waiver included as part of the Farm 911 – Emergency Access Point Application Form. The waiver acknowledges that the assignment of the Emergency Access Point number does not constitute formal approval of the access by the City of Hamilton, nor does it guarantee that the access will be adequate for emergency vehicles. Where access is not adequate, emergency vehicles may not be able to enter the field. This waiver acknowledges that it is not uncommon for access to agricultural fields to be informally established for the purposes of farm equipment and vehicle use. Limiting the assignment of a Farm 911 – Emergency Access Point number to legally established accesses only would preclude a significant number of access points from being eligible for signage, and would therefore not fulfil the intent of the Farm 911 program. The waiver allows for the Farm 911 – Emergency Access Point number to be assigned but recognizes that the number does not guarantee emergency vehicle access.

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4. Staff recognize that a public awareness campaign will be important to communicate the availability of this program once approved. Staff are working with the City's Communications team to create a plan to spread awareness of the program using traditional advertising, social media and the City's website. Further, members of the Agriculture and Rural Affairs Advisory Sub-Committee including the Hamilton Wentworth Federation of Agriculture will also spread the message to their networks. Members of Council with rural wards may also make the availability of the program known. It is important to communicate the message widely, as the program is an important public safety initiative which will improve emergency response times in the rural area.

**ALTERNATIVES FOR CONSIDERATION**

1. Do not approve the Farm 911 program. Applicants could still apply for a municipal address for a vacant property but the application would be at a cost and would not be differentiated from traditional address signs. Staff do not recommend this alternative.
2. Approve the Farm 911 program but require installation of Farm 911 – Emergency Access Point signs to be at the cost of the applicant. This alternative would reduce the estimated cost of the program from \$95,000 (as per recommendation (c)) to \$26,000.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to PED23209 – Farm 911 – Emergency Access Point Policy  
Appendix "B" to PED23209 – Update to City of Hamilton Municipal Address Policy



## **Farm 911 – Emergency Access Point (EAP) Policy**

### **Purpose**

The purpose of this policy is to establish, regulate, and administer the Farm 911 – Emergency Access Point (EAP) program. This program is designed to assign EAP numbers to existing access points on vacant agricultural and rural lands to assist emergency services with locating properties during an emergency.

### **Eligibility**

1. The EAP program provides property owners with an EAP number that will allow emergency services to respond to an emergency via an existing access point that does not currently have a civic address assigned to it.
2. Owners of vacant agricultural and vacant rural lands within the City of Hamilton's Rural Area are eligible to apply for an EAP number(s), as per #17 below.
3. A maximum of one EAP number shall be assigned per existing access point. For large properties with multiple access points, separate EAP numbers may be assigned to individual access points on the same property if it is deemed necessary to improve ease of identification of the access point.
4. The EAP program is voluntary and not a requirement for existing access points.

### **Submitting an EAP Application**

5. All applicants requesting an EAP number shall submit a Farm 911 – Emergency Access Point Application Form to the Legislative Approvals / Staging of Development Section of the Growth Management Division ([hamilton.ca/addressing](http://hamilton.ca/addressing)). There is no application fee for the submission of a Farm 911 – Emergency Access Point Application Form.
6. A map, sketch, or site plan of the property shall be included with the EAP application which identifies the following:
  - i) location of the existing access point(s) for which the EAP number is requested;
  - ii) location of other existing access points on the property, if applicable, and approximate distance between those access points;
  - iii) property lines, including approximate distance between the access point for which the EAP access is requested and the property line.
  - iv) other information if requested by staff.
7. The applicant shall be the property owner or must otherwise include a letter from the property owner designating the applicant as the property owner's acting agent.

### **Reviewing the Application and Assigning EAP Address Number**

8. The Legislative Approvals / Staging of Development Section of the Growth Management Division shall review the submitted application for completeness.

**Appendix “A” to Report PED23209****Page 2 of 3**

9. An EAP number will be determined for the access point location using the City’s current street address range system. Staff, in consultation with the property owner, shall determine if additional EAP numbers may be required for additional existing access points on a property.
10. The same EAP number shall not be used at more than one (1) access point location.

**EAP Address Number Notification & Signage**

11. Once assigned, the applicant will be notified of the assigned EAP number and be directed to contact the Transportation Operations Section of the Transportation Division ([trafficops@hamilton.ca](mailto:trafficops@hamilton.ca)) to initiate the sign fabrication process and confirm installation procedures. The Transportation Operations Section will fabricate the EAP sign with the assigned EAP number.
12. Installation of the signage may be completed by the City or the property owner, at the owner’s discretion. If the property owner chooses to install the signage, Transportation Operations will provide directions for appropriate installation. If the City shall be responsible for the installation of the sign, the City reserves the right to schedule the installation as deemed appropriate based on operational requirements and weather conditions.
13. EAP sign blades will be red double-sided blades with white reflective numbering. The red and white signage will differentiate the EAP numbers from formal civic addresses that have been assigned and approved by the City.

**Exceptions and Limitations**

14. The EAP number shall not be used as a mailing address and is only intended to identify the location of an access point for emergency services.
15. The EAP number does not permit further use or development of the property without proper municipal and /or other approvals. Should development of the property occur in the future, the owner shall be required to submit an application for a Change / Additional Address Request Form and purchase a green and white 911 rural numbering sign.
16. The applicant is responsible to maintain both the access point and the EAP signage, including visibility of the signage. Should the EAP signage be removed and/or damaged, the applicant shall contact the Transportation Operations Section of the Transportation Division ([trafficops@hamilton.ca](mailto:trafficops@hamilton.ca)) for a replacement sign and/or accompanying accessories (replacement fee may apply).
17. The EAP program shall only be used for vacant agricultural or vacant rural properties within the Rural Area, not including properties in the Rural Settlement Areas, as identified on [Schedule D to the Rural Hamilton Official Plan](#). (Note: vacant properties are defined as those properties which do not contain a building or structure requiring a permit under the Ontario Building Code).
18. An EAP number that has been assigned to an access point on a seasonally maintained road may not be accessible during portions of the year.

**Appendix "A" to Report PED23209**

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19. The issuance of a number through the EAP program does not represent municipal approval of the physical entrance including, but not limited to, the construction, location, or condition of the existing access point.
20. The approval of the EAP application does not guarantee that the access point is adequate or safe for emergency services vehicles. Where access is not adequate or safe, emergency services vehicles may not be able to enter the property via that access point, and will make a best efforts response in emergency situations.

December, 2023

**City of Hamilton**  
**Municipal Addressing Policy**  
(additions shown in **tracked changes**)

**1.0 Responsibility:**

The Planning and Economic Development Department is responsible for the municipal addressing of all structures and properties in the City of Hamilton. A number assigned by the Planning and Economic Development Department is considered the official Municipal Number regardless of any other number assigned by any other outside agency or City Department.

This document is to be used for assigning any new Municipal addresses within the City of Hamilton.

**2.0 General Policies**

- a) That the intersection at King Street and James Street shall be deemed the Directional Starting Point for the purpose of municipal addressing on arterial and collector roads. The Directional Starting Point will be followed, where possible, and the streets will be numbered outwardly towards the City of Hamilton boundary.
- b) That one address shall be assigned per legal lot of record, except where otherwise permitted in this policy.
- c) That the addressing of local streets shall start from the Arterial, Collector, or closest major road.
- d) That the right hand side of a street shall be assigned “EVEN” numbers (*beginning with ‘4’*), and the left side of the street shall be assigned “ODD” numbers (*beginning with ‘3’*).
- e) That a default space for numbering shall be incrementing odd or even numbers for every 6m of frontage, e.g. 4, 6, 8, 10, or 3, 5, 7, 9.
- f) That an area with an established numbering pattern shall continue to use that numbering pattern.
- g) That Cul-de-sacs shall be addressed with the lowest numbers starting at the intersection; except that addressing shall be continuous when a “Court” and “Street” have the same name and intersect with each other.
- h) That a municipal address shall be assigned to the legal lot frontage determined by the zoning by-law on corner lots.

**Appendix “B” to Report PED23209**  
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- i) That more than one municipal address may be assigned for use by tenants or additional buildings erected on one parcel of land, if available, and without requiring a change to the addresses of adjacent properties.
- j) It is not the policy to avoid any particular number for any reason (13, 44, 69, 666). It is not the policy to assign “rounded-off” municipal numbers (50, 400, 555, and 1000).
- k) That only whole numbers are to be assigned to establish a separate identity for each building. If necessary, and renumbering of surrounding buildings is not an option, ½ numbers shall be used. The use of letters for separate buildings shall not be used, i.e. 5A, 5B, 5C.
- l) That municipal civic addresses will generally not be assigned to vacant or severed lands until such time as an application for a building permit has been submitted or the conditions of the approved severance application have been completely fulfilled. In cases where the approval of a consent application creates a situation where the original address now falls out of sequence from the newly created lots, it will have to be renumbered through the “Change/Additional Address Request Form”.

### **3.0 Policies for new Development**

- a) **Single family dwellings** – That dwellings will be numbered by increments of 4’s
- b) **Semi-detached dwellings** – That each dwelling will be numbered by increments of 2’s with an interval of 2 between buildings.
- c) **Street Townhomes** – That each dwelling will be numbered by increments of 2’s with an interval of 2 between buildings.
- d) **Quadraplex Street Townhomes** – That the individual dwellings be addressed consecutively based on the location of the driveway frontage.
- e) **Condominium Townhouse, Commercial, or Industrial blocks** – That one municipal address be assigned to the Main access driveway for the Condominium Blocks. It is the developer’s responsibility to assign unit numbers for each Condominium unit.
- f) **Apartment buildings** – That one address per apartment building be assigned, and the owner assigns the individual unit numbers as required.
- g) **Commercial, Industrial, and Institutional Sites** – That one address be assigned per property, unless it is required to avoid confusion with multiple buildings on a site.

**Appendix “B” to Report PED23209**  
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- h) **City Parkland** –That parkland properties be addressed based on the location of buildings, structures, parking areas, splash-pads, or playground areas.
- i) **Utilities-** That addresses be assigned to utility facilities for reference purposes in the event of an emergency situation, and a “Change / Additional Address Request Form” has been submitted.

#### **4.0 Policies for the Rural Area:**

- a) **Agricultural land** – That more than one municipal civic address may be given to a property where there is a second dwelling or large accessory buildings. Further, more than one Farm 911 – Emergency Access Point (EAP) number may be assigned to an individual property if more than one access exists and it is deemed necessary to improve ease of identification.
- b) **Other development** – For Commercial, Industrial, Institutional, and Parkland properties, please refer to section 3.0.
- c) **911 Rural Numbering Signs** –
  - i) Hamilton By-law 02-312 identifies the procedures and placement for the green and white coloured 911 rural numbering signs (municipal civic address signs for non-vacant properties).
  - ii) Appendix “A” identifies the procedures and placement of the red and white Farm 911 - Emergency Access Point (EAP) signs applicable to vacant rural and agricultural properties.


#### **5.0 Change of Address / Additional Address**

- a) A request for an address change or an additional number shall be made by using the “Change / Additional Address Request Form” and the appropriate fee is charged ‘once per property’, in accordance with the approved Growth Management User Fees.
- b) A request for a Farm 911 - Emergency Access Point (EAP) sign shall be made by using the Farm 911 - Emergency Access Point Application Form. There shall be no cost to the applicant for the assignment of the Emergency Access Point (EAP) number or for the fabrication or installation of the signage.

Approved by Council on March 9th, 2005  
Updated December, 2023



## INFORMATION REPORT

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	December 5, 2023
<b>SUBJECT/REPORT NO:</b>	Staging of Development Report 2024 - 2026 (PED23257) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Heather Travis (905) 546-2424 Ext. 2978
<b>SUBMITTED BY:</b>	Ashraf Hanna Director of Growth Management and Chief Development Engineer Planning and Economic Development Department
<b>SIGNATURE:</b>	

### COUNCIL DIRECTION

The City's Urban Hamilton Official Plan provides direction for the preparation of an annual Staging of Development Report. In particular, policy F.3.6.3 of Volume 1 of the Urban Hamilton Official Plan states, "the City's Staging of Development Report shall be prepared and approved annually. The City's Staging of Development Report and the City's Capital Works Program shall generally be prepared in concert with each other."

### INFORMATION

The intent of the Staging of Development Report is to outline a plan for the future growth of the City over the next three years that co-ordinates the financing and construction of infrastructure with development approvals. Orderly development is important to optimize the use of existing / planned infrastructure.

The focus of the Staging of Development Report is on the approval and servicing of Draft Plans of Subdivision. Through a series of tables and maps, the report outlines the City's expectation toward the processing and approval of Draft Plan of Subdivision applications, as well as the servicing and ultimately the registration of Draft Approved Plans. The report identifies those Plans to be approved or serviced in 2024, 2025, 2026 or for which no timing can be determined. Further information on the anticipated timing related to Draft Plans of Subdivision is provided below. A new introduction to this year's

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Staging of Development Report is the identification and mapping of potential short, medium and long term residential intensification developments. Traditionally, the Staging of Development Report has identified only those developments occurring through Draft Plan of Subdivision. Given the City's focus on development through intensification as a means of meeting growth targets, it is appropriate to recognize and include potential intensification projects in this year's report. Further information on anticipated intensification projects and how they are considered in the Staging of Development Report is provided below.

Finally, the Staging Report also provides information on infrastructure requirements to support the planned growth, which informs the City's capital forecast, as further described below.

The Staging Report will assist with providing direction on where to focus development review efforts and where to focus on short and long range planning and capital projects.

**STAGING OF DEVELOPMENT REPORT 2024 – 2026**

Due to size of the document, a complete copy of the report can be found at:  
[www.hamilton.ca/stagingofdevelopment](http://www.hamilton.ca/stagingofdevelopment).

The Staging of Development Report includes a series of tables as well as maps which comprehensively illustrate anticipated development by geographic area of the City over the next three years or beyond. Details of each Section of the Staging Report are provided below.

**DRAFT PLANS OF SUBDIVISION – ANTICIPATED TIMING FOR APPROVALS AND SERVICING**

The primary focus of the Staging of Development program is on the approval and servicing of Draft Plans of Subdivision. A Draft Plan of Subdivision is a survey plan which divides a larger piece of land into smaller parcels of land. Draft Plans can be created for all types of land uses including residential, institutional, industrial or commercial. The purpose of a Draft Plan of Subdivision is to provide for orderly development, to ensure that the lands are developed in accordance with City policies and regulations, infrastructure and other services are in place to accommodate the future land uses, and other requirements such as financial obligations, legal agreements, planning objectives and protection of natural and cultural heritage resources are accounted for.

The Staging of Development Report and the identification of forthcoming Draft Plans of Subdivision over the next three years considers both Draft Plans that are not yet Draft approved (early in the process) and Draft Plans that have received Draft Plan Approval



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and are working toward Registration / Servicing (later in the process). One can therefore conclude that the Draft Plans that are identified in the Staging report as already Draft Approved and working toward Servicing / Registration could see development occurring in the near term, while Draft Plans working toward Draft Plan Approval are likely several years away from seeing development proceeding.

**Draft Plans of Subdivision Anticipated for Draft Plan Approval, 2024 – 2026**

The recommended Staging Plan identifies the following timing for the anticipated Approval of Draft Plan of Subdivision applications which are currently in process but not yet Draft Approved:

- Eighteen (18) Draft Plans of Subdivision for potential Draft Approval in 2023/2024;
- Five (5) Draft Plans for potential Draft Approval in 2025;
- Six (6) Draft Plans for potential Draft Approval in 2026 or beyond;
- Two (2) Draft Plans with no timing identified; and,
- Nine (9) Draft Plans which are currently before the Ontario Land Tribunal and for which timing of approval will be dependent on the outcome of the Tribunal proceedings.

A full listing of Draft Plan of Subdivision applications anticipated to be approved by year can be found in the Staging of Development Report. Mapping is included in the Report as Appendix “A” to Report PED23257.

In sum, the Draft Plans identified for anticipated approval between 2024 and 2026 (and beyond, including those at the Ontario Land Tribunal) account for a total of 11,162 dwelling units and 857,870 square metres of industrial and commercial space. The proposed residential dwelling units represent a mix of dwelling types and densities, including 453 single and semi-detached dwellings, 2,000 townhouses and 8,709 apartment units.

Note that the timing as indicated in the Staging of Development Report represents a best estimate on the part of Staff for the anticipated timing of future Draft Plan Approval. Several factors may intervene to change the proposed timing of Draft Plan Approval including unexpected issues or concerns arising during the review of the application; delay on the part of the applicant to respond to concerns or provide updated studies / plans; staffing and workload challenges; legislative changes; economical factors in the housing market; or priority applications needing attention. The timing outlined in the Report is subject to change and does not represent a guarantee that applications will be brought forward for approval in the identified year, nor that applications will receive Draft Plan Approval.

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**Draft Plans of Subdivision Anticipated for Servicing / Registration, 2024 – 2026**

The recommended Staging Plan identifies the following timing for the anticipated timing for Servicing / Registration of Approved Draft Plan of Subdivision applications:

- twenty-six (26) existing Draft Approved Plans of Subdivision expected to proceed with Servicing in 2024;
- nine (9) Approved Draft Plans expected to proceed with Servicing in 2025;
- eight (8) Approved Draft Plans expected to proceed with Servicing in 2026 and beyond;
- six (6) Approved Draft Plans with no timing identified; and,
- two (2) Approved Draft Plans dependent on the outcome of related Ontario Land Tribunal proceedings.

A full listing of Approved Draft Plans of Subdivision anticipated to be Serviced by year can be found in the Staging of Development Report. Mapping is included in the Report as Appendix “A” to Report PED23257.

In sum, the Draft Plans identified for anticipated Servicing between 2024 and 2026 (and beyond) account for a total of 5,940 dwelling units and 445,500 square metres of industrial and commercial space. The proposed residential dwelling units represent a mix of dwelling types and densities, including 2,369 single and semi-detached dwellings, 2,819 townhouses and 752 apartment units.

As noted above regarding anticipated Draft Plan Approval, anticipated timing for Servicing and Registration of Draft Plans also represents a best estimate on the part of Staff. Several factors may intervene to change the proposed timing of servicing and the anticipated residential units yield outlined above. These factors include unexpected issues or concerns arising during the review of grading and servicing plans; delay on the part of the applicant to respond to concerns or provide updated plans; potential economical factors pertaining to the housing market; staffing and workload challenges; or priority applications needing attention. The timing outlined in the Report is subject to change and does not represent a guarantee that applications will be brought forward for Servicing nor that the anticipated unit-supply estimates will be achieved in the identified timeframes.

**Total Residential Unit Approvals Anticipated Through Draft Plan of Subdivision 2024 – 2026**

In summary, the total residential units anticipated to be approved / serviced through Draft Plan of Subdivision between 2024 and 2026 and beyond is approximately 17,100 units, as identified in Table 1 below. Of these units, the majority are planned multiple dwelling units, accounting for more than 9,400 of the proposed units or more than 55%

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of the total. Townhouse dwelling units account for the next greatest dwelling type at 4,800 units, or 28% of the total. Finally, low density dwelling units (single and semi detached dwellings) account for 2,800 units or 16% of the total.

Interestingly, the unit mix amongst the “Units Anticipated to be Serviced” (i.e. units which have already received Draft Plan Approval) is more skewed toward lower density dwelling forms (singles, semis and towns). These are the units which will see construction and occupancy in the near term. The unit mix of the Draft Plans which have not yet received Draft Plan Approval is more skewed toward the higher density dwelling forms, with the almost 4,000 units proposed at Eastgate Square significantly impacting that number.

The numbers in the table below represent total potential unit approvals through in-process Draft Plan of Subdivision applications and servicing reviews. As noted, due to multiple factors, there is no guarantee that the units will be approved or serviced within the timeframes identified in the Staging Report.

**Table 1: Total Anticipated Residential Unit Approvals Through Draft Plan of Subdivision 2024 – 2026 (and beyond)**

	Single & Semi Detached	Towns	Apartment	Total
Units Anticipated to be Draft Approved	453	2,000	8,709	<b>11,162</b>
Units Anticipated to be Serviced	2,369	2,819	752	<b>5,940</b>
<b>Total</b>	<b>2,822</b>	<b>4,819</b>	<b>9,461</b>	<b>17,102</b>

## RESIDENTIAL INTENSIFICATION

As noted, the 2024 – 2026 Staging of Development Report includes information on potential residential intensification projects for the first time. For the purposes of the Staging Report, residential intensification projects are identified as proposed development at a higher density than currently exists, located within the City’s urban boundary, outside of an active (i.e. not Registered) Draft Plan of Subdivision application. Intensification therefore may occur anywhere throughout the urban boundary and may include any form of residential redevelopment (singles, towns, apartments). In addition, the Report includes only major residential intensification projects proposing 100 units or more. Small scale infill projects, secondary units etc. are therefore not included.

It can be difficult to predict not only where intensification will occur, but also when. For the purposes of anticipating residential intensification that may occur in the short, medium and long term time frames for the Staging report, staff queried all development

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applications submitted in the last three years, as of June 2023, and made the following assumptions:

**Table 2: Type of Development Application and Anticipated Timeframe for Development – Residential Intensification**

Type of Application	Anticipated Development Timeframe	# of Years
Site Plan Control Application <i>(in process or approved but full building permit not yet issued)</i>	Short Term	Less than 1 year
Official Plan / Zoning By-law Amendment <i>(in process and / or not yet proceeded to Site Plan)</i>	Medium Term	1 to 3+ years
Formal Consultation Application <i>(in process and / or not yet proceeded to full application)</i>	Long Term	No timing identified

The above timeframes are based on the level of certainty associated for each type of application. For example, at the Site Plan Control stage of development, the lands are already zoned for the permitted use. Further, many issues would have already been addressed at an earlier stage in the planning process. It is therefore reasonable to assume that an in-process Site Plan Control application could proceed to building permit issuance within one year, and is therefore considered as Short Term intensification potential.

On the contrary, Formal Consultation applications have a low level of certainty regarding whether or not an applicant / owner will proceed to submit a full application, or when that future application may be submitted. Formal Consultation applications are therefore deemed to be Long Term intensification potential in light of that uncertainty and the time that will be required to obtain approvals as part of future *Planning Act* application(s).

It is important to note that the Tables below identify in-process development applications. Inclusion in the Staging Report does not indicate a guarantee of approval of the development application, nor does the associated time frame identified in the Report guarantee that developments will move forward within that time period. Further, approval of the application does not guarantee that an applicant will proceed to the building permit stage. Therefore, it is not anticipated that all of the units identified in the Staging Report will be realized, and for those that do proceed to development, it is not expected that the indicated timeframes will be met. Rather, the Staging Report provides a high-level estimation of major intensification opportunities occurring over the next

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several years for the purposes of understanding where development may be occurring and to demonstrate the importance of residential intensification to the City's future housing supply.

In sum, the total number of potential units identified over the three time periods is summarized as follows:

- approximately 18,100 potential units created through significant residential intensification applications in the short term,
- approximately 14,600 potential units in the medium term; and,
- approximately 17,000 potential units in the long term.

Application details are provided within the Staging of Development Report, including mapping within Appendix "A" to Report PED23257.

**INFRASTRUCTURE TO SUPPORT GROWTH**

The Staging of Development program assists in the development of a comprehensive, multi-year Capital Works program, in order to ensure adequate infrastructure is in place to support growth in the City.

Growth generally impacts the municipal infrastructure system. Development projects, including redevelopments, may require extension of municipal services such as sewers, watermains, and roads, and stormwater management. Development projects may also require that existing infrastructure be expanded, upsized, or otherwise upgraded to accommodate expansion and continued growth. It is important to identify, plan and have the infrastructure in place and available to support the growth.

Although Development Charge fees generally pay for growth related infrastructure, developers are also responsible for a share of the cost of that infrastructure that serves their development. The developer's contribution is described as the local share of growth-related infrastructure and is integral to the philosophy of the City's Development Charges By-Law Local Service Policy that defines developer's obligations. The Staging of Development Report identifies a list of Development Charge funded Capital Projects, included within Table 8 of the Staging Report.

**CONSULTATION WITH DEVELOPMENT INDUSTRY**

A key input into the drafting of the Staging Report and identification of anticipated timing for Approval and Servicing of Draft Plans of Subdivision involves consultation with the development industry. In 2023 letters were mailed to applicants / agents for their input in terms of their short term future development intentions and the identification of potential municipal financing for capital infrastructure. The information received in response to

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the mailings is compared to anticipated timing for Approvals and Servicing provided by staff. These timing projections in combination with criteria identified in the Staging Report inform the staging program.

In addition, regarding intensification developments, Staff conducted a mail-out to twenty-one applicants representing forty Formal Consultation applications submitted over the past three years to enquire whether or not they had plans to proceed with a future *Planning Act* application. Seven responses were received and five formal consultation applications were removed from the application list in the Staging Report as a result.

**RELATIONSHIP TO FUTURE MARKET AND LAND SUPPLY MONITORING REPORT**

The Urban Hamilton Official Plan, policies F.3.5.1 and F.3.5.2, requires the City to monitor and report annually on growth and land supply, including items such as construction activity, progress toward various growth targets including the residential intensification target and planned densities, employment land supply, and housing costs. Planning staff will be bringing forward this Monitoring report in early 2024. This future Monitoring report is being highlighted for two reasons:

- a portion of the information that will be included within the future Monitoring report was previously included within older versions of the Staging of Development Report. Information that was previously included in the Staging Report but has now been removed for future inclusion in the Monitoring report includes past building permit activity, information from the City's Vacant Residential Land Inventory, analysis of the City's progress toward the intensification target, and information on meeting the land supply requirements outlined in the Provincial Policy Statement. Removing these items from the Staging Report allows the Staging Report to remain a forward-looking document as opposed to a summary of past approvals, and further, ensures that there will be no duplication between the two reports going forward; and,
- regarding information on residential intensification, as is explained in the Staging Report (Section 4.0), there are many different ways to define intensification. The Staging Report is taking a broad definition to highlighting potential significant intensification opportunities across the City, regardless of whether or not these opportunities would contribute to the City's intensification target under the Growth Plan. The Growth Plan target measures only those intensification units that are constructed with the City's built-up area, as defined. The reason this is being highlighted is to ensure there is no confusion in future when comparing potential intensification opportunities as outlined in the Staging Report with progress toward the City's intensification target as measured in the future Monitoring Report.

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED23257 - Staging of Development Report, 2024 - 2026

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2024 - 2026

# City of Hamilton – Staging of Development Report



Planning and Economic  
Development  
Department / Growth  
Management Division



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## EXECUTIVE SUMMARY

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The Staging of Development Report outlines a plan for the future growth of the City over the next three years that co-ordinates the financing and construction of infrastructure with planning studies and development approvals. Orderly development is important to optimize the use of existing / planned infrastructure.

The focus of the Staging of Development Report is on the approval and servicing of Draft Plans of Subdivision. Through a series of tables and maps, the Report outlines the City's expectation toward the processing and approval of Draft Plan of Subdivision applications, as well as the servicing and ultimately the registration of Draft Approved Plans. The Report identifies those Plans to be approved or serviced in 2024, 2025, 2026 or for which no timing can be determined.

A new introduction to this year's Staging of Development Report is the identification and mapping of potential short, medium and long term residential intensification developments. Traditionally, the Staging of Development Report has identified only those developments occurring through Draft Plan of Subdivision. Given the City's focus on development through intensification as a means of meeting growth targets, it is appropriate to recognize and include potential intensification projects in this year's Report.

The Staging of Development Report identifies:

- eighteen (18) Draft Plans of Subdivision expected to receive Draft Approval in 2024; five (5) in 2025; six (6) in 2026 or beyond; two (2) with No Timing Identified; and nine (9) Draft Plans at the Ontario Land Tribunal. The combined total dwelling units anticipated for approval through these Draft Plans is 11,162. The total industrial / commercial gross floor area anticipated for approval is 857,870 sq m.
- twenty-six (26) Approved Draft Plans of Subdivision expected to be Serviced in 2024; nine (9) in 2025; eight (8) in 2026 or beyond; six (6) with No Timing Identified; and two (2) Draft Plans dependent on outcomes of the Ontario Land Tribunal. The combined total dwelling units anticipated for Servicing through these Draft Plans is 5,940. The total industrial / commercial gross floor area anticipated for Servicing is 445,500 sq m.
- Approximately 18,100 potential units created through significant residential intensification applications in the short term, 14,600 potential units in the medium term, and 17,000 potential units in the long term.

It is important to note that the timing of potential approvals and servicing noted above, as well as the timeframe associated with the potential intensification applications, are estimates only. Many factors can influence the timing of approvals including outstanding information requirements, legislative changes, staffing and workload constraints and shifting priorities. The timelines identified in this report represent a best estimate on the part of staff, incorporating feedback from the development community, regarding anticipated timing of development. Particularly for residential intensification applications, it can be very difficult to predict when

development will actually occur, as planning application approvals may precede shovels in the ground by many years.

Further, inclusion of an application in this Report does not guarantee that the application will be approved, nor that an approved application will ultimately proceed to building permit. This report is intended to provide a broad overview of forthcoming development within the City to inform workload and infrastructure planning. This report does not influence the review or approval of in-process applications.

Growth is essential to the viability of the community and critical to economic competitiveness, quality of life, and the delivery of public services. As such, this Report provides for a complete picture of anticipated growth across the City which allows the municipality to ensure that existing infrastructure and future investments in capital infrastructure are optimized to serve future development. Further, the Report will assist with providing direction on where to focus development review efforts and where to focus on short and long range planning and capital projects.

## 1.0 INTRODUCTION

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The Staging of Development Report is an important tool to guide orderly growth by balancing capital infrastructure needs with co-ordination of development approvals.

Objectives of the Staging of Development Report include:

- To outline municipal intentions with respect to the review, processing, and servicing of Draft Plans of Subdivision.
- To provide an overview of potential short, medium and long term residential intensification projects contributing to the City's population and housing unit growth targets.
- To provide a tool to assist with the integration of financial plans and growth-related capital costs associated with land use planning and timing for future development.
- To coordinate the cost effective and efficient expansion of servicing infrastructure.
- To provide a tool to assist City departments, external agencies such as conservation authorities, school boards and utility companies involved in development approvals in establishing their own work plans.
- To define an orderly progression for development charge funded works by considering the efficiency of infrastructure investments, the timing, pace, and location of development, and the desires of developers to proceed with their projects.
- To provide a mapping summary of anticipated near-term growth by geographic area of the City for the benefit of Council, members of the public and the development community.

The Staging of Development Program serves as a guide for setting the capital program for growth infrastructure; however, it is approval of the annual Capital Budget that ultimately authorizes the funding and sets the timing for project implementation.

This report will recommend a 2024 – 2026 Staging of Development Program for the approval and servicing of Draft Plans of Subdivision. To provide for a full picture of anticipated residential development activity, the 2024 – 2026 Staging of Development Report will also provide information on potential significant residential intensification projects outside of Draft Plans of Subdivision. The inclusion of information on residential intensification projects is a new addition to the Staging of Development Report in recognition of the significant role that intensification will contribute to the City's future housing supply.

## 2.0 CITY OF HAMILTON GROWTH OUTLOOK

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The City's Urban and Rural Hamilton Official Plans identify population, household and employment forecasts for the City to the year 2051. Within the next 10 years, Hamilton's population is expected to grow by 62,000 persons between 2021 and 2031, with the number of housing units to grow by 35,600 during the same period. This rate of growth corresponds to population growth of approximately 6,200 persons per year over the next 10 years, and household growth of 3,560 new housing units per year. In addition to this housing unit growth forecast in the Official Plans, the City also signed a housing pledge in early 2023 committing to the development of 47,000 new housing units by 2031, representing an additional 11,400 new housing units by 2031 beyond those identified in the Official Plans.

On the employment side, the number of jobs in the City is anticipated to increase by 33,000 jobs between 2021 and 2031, as identified in the Urban and Rural Hamilton Official Plans, equating to growth of approximately 3,000 jobs per year.

The City has been diligently planning for intensification, streamlining development approvals and reducing barriers to achieving development through intensification. It is expected that the City's 2031 population, housing and job forecasts, including the additional 11,400 housing units identified in the pledge, can be achieved within the City's former Urban Area and will not require development occurring within any of the Urban Expansion Areas approved by the Province through Official Plan Amendment 167<sup>1</sup>. It is anticipated that growth will not occur in the Urban Expansion Areas until the post-2041 time period given the time-extensive requirements for Secondary Planning, technical studies, servicing and development approvals needed prior to development occurring. Given the timing of the Staging of Development Report focuses on planned growth over the next 3 years, growth in the Urban Expansion Areas is not considered in this report.

<sup>1</sup> On October 23, 2023 the Province of Ontario announced its intention to reverse Provincial changes to official plans and official plan amendments. The impacted list of municipalities includes the City of Hamilton, which could result in the removal of modifications made by the Province in approving Official Plan Amendment 167 in November 2022. At the time of writing of this report, there has been no legislative changes proposed by the Province and the existing Urban Hamilton Official Plan and Rural Hamilton Official Plan approved by the Province remain in force and effect.

### 3.0 DRAFT PLANS OF SUBDIVISION

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The primary focus of the Staging of Development program is on the approval and servicing of Draft Plans of Subdivision. A Draft Plan of Subdivision is a survey plan which divides a larger piece of land into smaller parcels of land. Draft Plans can be created for all types of land uses including residential, institutional, industrial or commercial. By far the most common type is a Residential Plan of Subdivision. The purpose of a Draft Plan of Subdivision is to provide for orderly development, to ensure that the lands are developed in accordance with City policies and regulations, infrastructure and other services are in place to accommodate the future land uses, and other requirements such as financial obligations, legal agreements, planning objectives and protection of natural and cultural heritage resources are accounted for.

Draft Plans of Subdivision are approved under the *Planning Act*. Within the City of Hamilton, the approval authority for Draft Plans of Subdivision has been delegated to the General Manager, Planning and Economic Development Department, or delegate. The *Planning Act* outlines the matters to be considered in the approval of a Draft Plan, the information that must be provided on the Draft Plan, and the process for notification and approval.

The approval process itself is a multiple step process:

- Prior to a Draft Plan of Subdivision being approved by the General Manager or delegate, the Draft Plan is presented to Council with a recommendation for approval and a list of draft plan conditions. The draft plan conditions ensure that all requirements related to servicing, planning, transportation, heritage, parks and other matters will be addressed.
- Following the approval of the Draft Plan by the General Manager or delegate, and provided no appeals of the decision are received, the Draft Plan is considered Draft Approved,
- The applicant / owner enters into a Subdivision Agreement with the City of Hamilton. The agreement outlines the many requirements that must be met prior to different stages of development of the Draft Plan. The Agreement outlines requirements to be met Prior to Registration (Part 2); Prior to Servicing (Part 4), Prior to Preliminary Grading (Part 3) etc.
- The applicant / owner must fulfill all requirements under each Section prior to proceeding with different actions such as Registration of the Plan, Servicing etc.
- Once the applicant has fulfilled all Part 2 conditions, they may proceed to register the Plan with the Land Registry Office and the plan is considered a Registered Plan of Subdivision.

The Staging of Development Report and the identification of forthcoming Draft Plans of Subdivision over the next three years therefore considers both Draft Plans that are not yet Draft Approved (early in the process) and Draft Plans that have received Draft Plan Approval and are working toward Registration / Servicing (later in the process). One can therefore conclude that the Draft Plans that are identified in this report as already Draft Approved and working toward Servicing / Registration will see development occurring in the near term, while Draft Plans working toward Draft Plan Approval are likely several years away from seeing development proceeding.

### 3.1 CRITERIA USED TO ESTABLISH TIMING PRIORITY OF SUBDIVISIONS

The priority of approval of a Draft Plan of Subdivision can be based on consideration of several criteria, including:

- Draft plans that provide for the implementation of key infrastructure priorities (e.g. provides for new stormwater infrastructure to relieve flooding in established areas).
- Draft plans that complete an existing community or neighbourhood.
- Draft plans that promote intensification / infilling.
- Draft plans within an area where a Secondary Plan and / or watershed studies are already completed / approved.
- Draft plans that do not contain complex issues which require time necessary to resolve (e.g. environmental impacts, neighbourhood concerns, etc.)
- Draft plans that will contribute to the supply of industrial land.
- Draft plans that do not require land assembly (e.g. land assembly vs. individual land owner).

The timing or priority for the servicing and registration of a Draft Plan of Subdivision can also be based on consideration of a number of criteria:

- Projects that provide community benefits such as the addition of a park or school site.
- Projects where required Capital Works have been approved in the Capital Budget.
- Projects where services are available without need to extend new services.
- Projects that do not contain complex conditions which require time to satisfy.

#### 3.1.1 Consultation with Development Industry

In addition to the criteria noted above, drafting of the staging report and identification of anticipated timing for Approval and Servicing of Draft Plans involves consultation with the development industry. In 2023 letters were mailed to stakeholders for their input in terms of their short term future development intentions and the identification of potential municipal financing for capital infrastructure. The information received in response to the mailings is compared to anticipated timing for Approvals and Servicing provided by staff. These timing projections in combination of with the criteria noted above establish the staging program. The recommended Staging of Development Plan for Draft Plans of Subdivision is presented in Tables 1 and 3 below.

### 3.2 STAGING OF DEVELOPMENT PROGRAM – DRAFT PLANS OF SUBDIVISION: 2024 – 2026

The following tables illustrate the prioritization of Draft Plans of Subdivision that are anticipating Draft Plan Approval and Servicing of Draft Approved Plans for 2024 – 2026 and beyond.

In addition, Staging Maps which identify the land parcels according to their status (Anticipated Draft Approval in 2024 – 2026 and Anticipated Servicing in 2024 – 2026) for each community have been included in Appendix A.

#### 3.2.1 Draft Plans of Subdivision Anticipated for Draft Plan Approval, 2024 – 2026

The recommended Staging Plan identifies eighteen (18) Draft Plans of Subdivision for potential Draft Approval in 2023/ 2024; five (5) for potential Draft Approval in 2025; six (6) for potential Draft Approval in 2026 or beyond; and two (2) with no timing identified (Table 1). The Plans with no timing identified are older plans for which there has been no activity in recent years but which have not been formally withdrawn.

In addition, Table 1 identifies nine (9) Draft Plans of Subdivision which are currently before the Ontario Land Tribunal (OLT). Staff are not identifying anticipated timing of Draft Plan Approval for these Plans as the timing will be dependent on the decision or outcome of the Ontario Land Tribunal proceedings.

Note that the timing below represents a best estimate on the part of Staff for the anticipated timing of future Draft Plan Approval. Several factors may intervene to change the proposed timing of Draft Plan Approval including unexpected issues or concerns arising during the review of the application; delay on the part of the applicant to respond to concerns or provide updated studies / plans; staffing and workload challenges; legislative changes; or priority applications needing attention. The timing outlined below is subject to change and does not represent a guarantee that applications will be brought forward for approval in the identified year, nor that applications will receive Draft Plan Approval.

**Table 1: Anticipated Year of Draft Plan Approval with Unit Breakdown**

2024 - PRIORITY PROCESSING FOR DRAFT PLAN APPROVAL						
Plan No.	Subdivision Name / Address	Single/ Semi- Detach	Towns	Apt.	ICI (Sq M)	Map #
25T-85033R	117, 213, 230 Nashville Circle & 50 & 86 Webster (Vienna Orchards)	8	91			8
25T-201709	45 Secinaro Avenue	11				1
25T-201809	387, 397, 405 & 409 Hamilton Drive	17				1
25T-202101	3169 Fletcher Road		58			2
25T-202102	Ancaster Industrial Subdivision – 370 Garner Road East				107,040	1



25T-202105	700 Garner Road East				61,629	1
25T-202106	9555 Airport Road				53,280	5
25T-202108	Forest Breeze Estates / 204, 212, 220, 226 Rymal Rd W	44				7
25T-202202	3054 Homestead Drive				80,370	5
25T-202203	9451 Dickenson Road				107,444	5
25T-202204	Mewburn Place – 1456 Upper James Street		116			7
25T-202206	481 First Road West	20	350			9
25T-202207	Mentino Subdivision – 61 Eleanor Avenue	15				6
25T-202208	Escarpment View Towns		147			8
25T-202301	760 Stone Church Road	16				6
25T-202302	250 First Road West		25			9
25T-202303	215 King St W, Dundas	2	4			3
25T-202305	75 Centennial Parkway - Eastgate Square Redevelopments			3957	11,367	8
<b>TOTALS</b>		<b>133</b>	<b>791</b>	<b>3,957</b>	<b>421,130</b>	

**2025 - PRIORITY PROCESSING FOR DRAFT PLAN APPROVAL**

Plan No.	Subdivision Name	Single/ Semi Detach	Towns	Apt.	ICI (Sq M)	Map #
25T-85002	Greenbriar Industrial Park - 5365 Twenty Rd				51,000	5
25T-201611	Nash Neighbourhood, Phase 2: 478 & 490 First Road West	28	164			9
25T-201612	Nash Neighbourhood, Phase 3: 464 First Road West	38	100			9
25T-201807	9511 Twenty Road West				149,400	5
25T-202205	2876 Upper James Street				49,710	5
<b>TOTALS</b>		<b>66</b>	<b>264</b>	<b>0</b>	<b>250,110</b>	

**2026 & BEYOND - PRIORITY PROCESSING FOR DRAFT PLAN APPROVAL**

Plan No.	Subdivision Name	Single/ Semi Detach	Towns	Apt.	ICI (Sq M)	Map #
25T-200720R	Trustwood Industrial Park				65,880	1
25T-200810	Miles Estates Addition: 708 Rymal Road East	32	18			6

25T-201206	Springbrook Corners: 851 Garner Road East & 491 Springbrook Ave		80			1
25T-201306	Silverwood Homes, Ph.2-3 / 111 Parkside Drive, Flamborough			430		4
25T-202003	The Village at St Elizabeth Mills		73	1131		7
25T-202103	Salem – 562 Dundas Street East		205	680		4
<b>TOTALS</b>		<b>32</b>	<b>376</b>	<b>2,241</b>	<b>65,880</b>	

**NO TIMING IDENTIFIED FOR DRAFT PLAN APPROVAL**

Plan No.	Subdivision Name	Single/ Semi Detach	Towns	Apt.	ICI (Sq M)	Map #
25T-90015	McNally Industrial Park				53,370	5
25T-200715	Mount Hope Terrace Addition, Phase 2 - 9075 Airport Road		6			5
<b>TOTALS</b>		<b>0</b>	<b>6</b>	<b>0</b>	<b>53,370</b>	

**FINAL DRAFT APPROVAL DEPENDENT ON OLT DECISIONS**

Plan No.	Subdivision Name	Single/ Semi Detach	Towns	Apt.	ICI (Sq M)	Map #
25T-201703	Newport Yacht Club, Phase 4-18 Lakeside Dr	38				8
25T-201710	655 Cramer Road	18				4
25T-201806	140 Garner Road East				67,380	1
25T-201810	26 Southcote Road	4	24			1
25T-201905	30 Dundas Street East			1656		4
25T-202006	544 & 550 Rymal Road East	8	10	272		6
25T-202008	Chedoke Browlands – 870 Scenic Drive		56	574		7
25T-202009	262 McNeilly Road, 1036-1090 Barton Street	154	391			8
25T-202304	157 Upper Centennial Parkway		82	9		9
<b>TOTALS</b>		<b>222</b>	<b>563</b>	<b>2,511</b>	<b>67,380</b>	

Note: ICI stands for Industrial, Commercial and Institutional development

The Draft Plans identified above for anticipated approval between 2024 and 2026 (and beyond, including those at the OLT) account for a total of 11,162 dwelling units and 857,870 square metres of industrial and commercial space. The proposed residential dwelling units represent a mix of dwelling types and densities, including 453 single and semi-detached dwellings, 2,000 townhouses and 8,709 apartment units.

### 3.2.2 Servicing of Draft Approved Plans

The recommended Staging Plan identifies twenty-six (26) existing Draft Approved Plans of Subdivision expected to proceed with Servicing in 2024; nine (9) expected to proceed with Servicing in 2025; eight (8) expected to proceed in 2026 and beyond; and six (6) with no timing identified (Table 3).

No timing for Servicing has been assigned to two Draft Plans of Subdivision that are currently dependent on outcomes of Ontario Land Tribunal (OLT) hearings for related Official Plan and / or Zoning By-law Amendment applications. For these two Draft Plans, while the Draft Plan itself has not been appealed, Final Approval of the Draft Plan cannot be issued until the related appeals are resolved.

As noted above regarding anticipated Draft Plan Approval, anticipated timing for Servicing and Registration of Draft Plans also represents a best estimate on the part of Staff. Several factors may intervene to change the proposed timing of Servicing including unexpected issues or concerns arising during the review of the grading and servicing plans; delay on the part of the applicant to respond to concerns or provide updated plans; staffing and workload challenges; or priority applications needing attention. The timing outlined below is subject to change and does not represent a guarantee that applications will be brought forward for Servicing in the identified year.

**Table 2: Anticipated Timing of Servicing of Draft Approved Plans with Unit Breakdown**

2024 - ANTICIPATED TIMING OF SERVICING OF DRAFT APPROVED PLANS						
Plan No.	Subdivision Name	Single/ Semi Detach	Towns	Apt.	ICI (Sq M)	Map #
25T-82008	Hamilton Mountain Industrial Park No. 2				37,320	6
25T200208R	Summit Park Phase 9	69	28			9
25T-200303	The Crossings 2080 Rymal Road East	78	57			9
25T-200525	Orlick Aeropark				71,550	5
25T200706R	Stoneywood	44	67			9
25T-200721	Eden Park Phase 2	129	162			7
25T-200908	198 First Road West, Phase 4 (Paletta Lands)	77	132			9
25T-201003	Parkside Hills, Ph.2	6	181			4
25T-201305	Sheldon's Gate: 172-178 Rymal Road West, 1204 West 5 <sup>th</sup> St	153				7

25T-201309	Summit Park Phase 11 – 99 Terryberry Road	283	72			9
25T-201402	Multi-Area Employment Lands – 575 Highland Road West				23,100	6
25T-201403	Freelton Subdivision/Wildan Estates II – 1800 Highway 6, 34 11th Con Rd E	20				4
25T-201405	3105 Fletcher Road, Phase 1	106	131			2
25T-201405	3105 Fletcher Road, Phase 2	234	94			2
25T-201504	Springbrook Meadows West Extension: 296-312 Springbrook Avenue	44				1
25T-201505	Silverbirch Meadows: 9684-9714 Twenty Road West	17	71			5
25T-201507	Flamborough Power Centre North Phase 2				82,530	4
25T-201604	820 Rymal Road East		14			6
25T-201608	56 Highland Road		43			9
25T-201702	609 & 615 Hamilton Street North, 129-137 Truedell Circle and 3 Nisbet Boulevard	2	61			4
25T-201706	Jackson Heights Extension – 2341 Regional Road 56	18	241	60		2
25T-201901	Barton Estates – 238 Barton Street, Stoney Creek		12			8
25T-202010	525 Rymal Road West	1	6			7
25T-202104	Lavita Estates – 311 Stone Church Road East	17	204			6
25T-202109	860 & 884 Barton Street		158	93		8
25T-202209	82 Carlson Street	30				9
<b>TOTALS</b>		<b>1,353</b>	<b>1,734</b>	<b>153</b>	<b>214,500</b>	

**2025 - ANTICIPATED TIMING OF SERVICING OF DRAFT APPROVED PLANS WITH UNIT BREAKDOWN**

Plan No.	Subdivision Name	Single/ Semi Detach	Towns	Apt.	ICI (Sq M)	Map #
25T-200610	Caterini - Phase 2	69	41			2
25T-200622	Springbrook Meadows West, Ph.2	16/				1
25T-200721	Eden Park, Phase 3					7

25T-200803	Victory Ridge	6				9
25T-201205	Fields of Springbrook, Phase 3	92				1
25T-201209	1125 West 5 <sup>th</sup> Street	2	130			7
25T-201503	165 Upper Centennial Parkway		268	453		9
25T-202002	9322-9326 Dickenson Road				82,110	5
25T-202201	3479 Binbrook Road	238	388	146		2
<b>TOTALS</b>		<b>423</b>	<b>827</b>	<b>599</b>	<b>82,110</b>	

**2026 & BEYOND - ANTICIPATED TIMING OF SERVICING OF DRAFT APPROVED**

Plan No.	Subdivision Name	Single/ Semi Detach	Towns	Apt.	ICI (Sq M)	Map #
25T-76024	Battleridge Subdivision Phase 3	85	72			8
25T-85003	Greenleaf Industrial Park				45,720	5
25T-88031	Sandrina Gardens Phase 7 – 790 Rymal Road	150				6
25T-200202	Chappel Estates: 92 Onyx Dr and south limit of Turquoise Dr	20				6
25T-200204	DeSantis Industrial Park – 1099 Barton Street				27,150	8
25T-200522	Kopper Meadow, Phase 2b – 169 Kellogg Avenue	12				5
25T-200804	Parkside Drive	94	65			4
25T-201404	Chappel Estates South: 83 Jessica Street East	57				6
<b>TOTALS</b>		<b>418</b>	<b>137</b>	<b>0</b>	<b>72,870</b>	

**NO TIMING IDENTIFIED FOR SERVICING OF DRAFT APPROVED PLANS**

Plan No.	Subdivision Name	Single/ Semi Detach	Towns	Apt.	ICI (Sq M)	Map #
25T-87032	DiCenzo Sobie – 1517 Upper James	40				7
25T-88030	Anchor Road Industrial Park Phase 1 – 600 Pritchard Road				21,420	6
25T-89031	Arbra				30,090	6
25T-89042	Trinity Road Industrial Subdivision				24,510	1
25T-93012	Browview Heights	6				4
25T-95002	Miles Estates – 50 Miles Road	104				6

<b>TOTALS</b>		<b>150</b>	<b>0</b>	<b>0</b>	<b>76,020</b>	
<b>ANTICIPATED TIMING OF FOR SERVICING DEPENDENT ON OLT DECISIONS</b>						
<b>Plan No.</b>	<b>Subdivision Name</b>	<b>Single/ Semi Detach</b>	<b>Towns</b>	<b>Apt.</b>	<b>ICI (Sq M)</b>	<b>Map #</b>
25T-201701	City View Estates – 15 Ridgeview Drive	25	80			9
25T-202210	705 Rymal Rd E		41			6
<b>TOTALS</b>		<b>25</b>	<b>121</b>	<b>529</b>	<b>0</b>	

Note: ICI stands for Industrial, Commercial and Institutional development

The Draft Plans identified above for anticipated servicing between 2024 and 2026 (and beyond) account for a total of 5,940 dwelling units and 445,500 square metres of industrial and commercial space. The proposed residential dwelling units represent a mix of dwelling types and densities, including 2,369 single and semi-detached dwellings, 2,819 townhouses and 752 apartment units.

### 3.2.3 Total Residential Unit Approvals Anticipated Through Draft Plan of Subdivision 2024 – 2026

In summary, the total residential unit growth anticipated to be approved / serviced through Draft Plan of Subdivision between 2024 and 2026 (and beyond) is approximately 17,100 units, as identified in Table 3 below. Of these units, the majority are planned multiple dwelling units, accounting for more than 9,400 of the proposed units or more than 55% of the total. Townhouse dwelling units account for the next greatest dwelling type at 4,800 units, or 28% of the total. Finally, low density dwelling units (single and semi detached dwellings) account for 2,800 units or 16% of the total.

Interestingly, the unit mix amongst the “Units Anticipated to be Serviced” (i.e. units which have already received Draft Plan Approval) is more skewed toward lower density dwelling forms (singles, semis and towns). These are the units which could see construction and occupancy in the near term. The unit mix of the Draft Plans which have not yet received Draft Plan Approval is more skewed toward the higher density dwelling forms, with the almost 4,000 units proposed at Eastgate Square significantly impacting that number.

The numbers in the table below represent total potential unit approvals through in-process Draft Plan of Subdivision applications and servicing reviews. As noted, due to multiple factors, there is no guarantee that the units will be approved or serviced within the timeframes identified in the Staging Report.

**Table 3: Total Anticipated Residential Unit Approvals Through Draft Plan of Subdivision**

	Single & Semi Detach	Towns	Apartment	Total
Units Anticipated to be Draft Approved	453	2,000	8,709	11,162
Units Anticipated to be Serviced	2,369	2,819	752	5,940
<b>Total</b>	<b>2,822</b>	<b>4,819</b>	<b>9,461</b>	<b>17,102</b>

## 4.0 RESIDENTIAL INTENSIFICATION

Intensification can be defined in many ways. The Provincial Policy Statement (2020) defines intensification as the development of a property, site or area at a higher density than currently exists through: redevelopment, including the reuse of brownfield sites; the development of vacant and/or underutilized lots within previously developed areas; infill development; and the expansion or conversion of existing buildings.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) considers intensification more narrowly. The Growth identifies an intensification target that all municipalities must plan to achieve on an annual basis. The intensification target only includes redevelopment occurring within a defined portion of the urban area which is referred to as the delineated built-up area. Intensification development occurring outside of the built-up area does not contribute to the City’s overall intensification target.

For the purposes of this Report, residential intensification projects are identified as proposed development at a higher density than currently exists, located within the City’s urban boundary, outside of an active (not-Registered) Draft Plan of Subdivision application. Intensification therefore may occur anywhere throughout the urban boundary and may include any form of residential redevelopment (singles, towns, apartments). In addition, this Report is including only major residential intensification projects proposing 100 units or more. Small scale infill projects, secondary units etc are therefore not included within the Tables below.

### 4.1 ANTICIPATED SHORT, MEDIUM AND LONG TERM INTENSIFICATION UNITS

It can be difficult to predict not only where intensification will occur, but also when. For the purposes of anticipating residential intensification that may occur in the short, medium and long term time frames for the Staging report, staff queried all development applications proposing 100 or more new residential units which were submitted in the last three years, as of June 2023, and made the following assumptions:



**Table 4: Type of Development Application and Anticipated Timeframe for Development – Residential Intensification**

Type of Application	Development Timeframe	# of Years
Site Plan Control Application <i>(in process or approved but full building permit not yet issued)</i>	Short Term	Less than 1 year
Official Plan / Zoning By-law Amendment <i>(in process and / or not yet proceeded to Site Plan)</i>	Medium Term	1 to 3+ years
Formal Consultation Application <i>(in process and / or not yet proceeded to full application)</i>	Long Term	No timing identified

The above timeframes are based on the level of certainty associated for each type of application. For example, at the Site Plan Control stage of development, the lands are already zoned for the permitted use. Further, many issues would have already been addressed at an earlier stage in the planning process. It is therefore reasonable to assume that an in-process Site Plan Control application could proceed to building permit issuance within one year, and is therefore considered as Short Term intensification potential.

On the contrary, Formal Consultation applications have a low level of certainty regarding whether or not an applicant / owner will proceed to submit a full *Planning Act* application, or when that future application may be submitted. Formal Consultation applications are therefore deemed to be Long Term intensification potential in light of that uncertainty and the time that will be required to obtain approvals as part of future *Planning Act* application(s). Staff conducted a mail-out to twenty-one applicants representing forty Formal Consultation applications submitted over the past three years to enquire whether or not they had plans to proceed with a future *Planning Act* application. Seven responses were received and five formal consultation applications were removed from the list in Table 7 as a result.

It is important to note that the Tables below identify in-process development applications. Inclusion in the Staging Report does not indicate a guarantee of approval of the development application, nor does the associated time frame identified in this Report guarantee that developments will move forward within that time period. Further, approval of the application does not guarantee that an applicant will proceed to the building permit stage. Therefore, it is not anticipated that all of the units identified in the Tables below will be realized, and for those that do proceed to development, it is not expected that the timeframes indicated in this Report will be met. Rather, this Report provides a high-level estimation of major intensification opportunities occurring over the next several years for the purposes of understanding where development may be occurring and to demonstrate the importance of residential intensification to the City's future housing supply. Mapping of the developments identified in the Tables below can be found in Appendix A.



**Table 5: Potential Short Term Residential Intensification Opportunities and Associated Unit Count**

<b>SHORT TERM RESIDENTIAL INTENSIFICATION (Site Plan)</b>				
<b>File Number</b>	<b>Address</b>	<b>Description</b>	<b># of Units</b>	<b>Map #</b>
DA-17-107E	3033-3063 Binbrook Rd	6-storey mixed use building	111	2
DA-20-056	20 Reid Ave N	Townhouse and back-to-back townhouse development on private road	164	12
DA-20-075	163 Jackson St W	Two 32-storey mixed use towers with one-storey commercial podium	642	11
DA-20-076	166-190 Main St W	Two 28-storey mixed use towers & one 27-storey tower above 2 base buildings	826	11
DA-20-077	77 James St N	Three 30-storey mixed use towers & one 24-storey tower above a 9-storey podium	1,940	11
DA-20-116	1351-1375 Upper James & 16-48 Stone Church RdE	Two 4-storey multiple dwellings (2 phases)	136	7
DA-21-017	1865 Rymal Rd E	8-storey mixed use building	195	9
DA-21-028	16 Cannon St E	16-storey building	129	11
DA-21-082E	468 James St N	7-storey retirement home, one commercial unit	120	11
DA-21-097	41 Wilson St	Three mixed use 30-storey towers with 4-7 storey base building	931	11
DA-21-109	73-89 Stone Church Rd W, 1029 West 5 <sup>th</sup> St	9-storey multiple dwelling	216	7
DA-21-113E	213 King St W	Check re building permit	348	11
DA-21-133	330 Dundurn St S	8-storey residential condominium. Existing retirement home to remain.	109	10
DA-21-137	80 John St N	Two 30-storey mixed use towers	700	11
DA-21-156	206 King St W	9-storey tower atop a 4-storey base with 13 total storeys	122	11
DA-21-159	537-563 King St E	8-storey multiple dwelling	117	11
DA-22-001E	488 Upper Wellington St	6-storey mixed use building	261	7
DA-22-016E	41 Stuart St	10-storey multiple dwelling	102	11

<b>SHORT TERM RESIDENTIAL INTENSIFICATION (Site Plan)</b>				
<b>File Number</b>	<b>Address</b>	<b>Description</b>	<b># of Units</b>	<b>Map #</b>
DA-22-032	9255 Airport Rd	45 2-storey townhouses, 18 3-storey townhouses, 41 rear lane townhouses	104	5
DA-22-040	1411 Upper Wellington St	6-storey campus style retirement/long term care community	132	6
DA-22-079	1630 Main St W	9-storey mixed use building & 2 blocks of townhouses	182	3
DA-22-081	1290 South Service Rd	1-storey commercial building, 5 3-storey mixed use buildings with 50 stacked towns above, and 12 4-storey stacked towns	454	8
DA-22-095	121 Mary St	10-storey mixed use building with supportive, affordable housing	156	11
DA-22-110	325 Hwy No. 8	11-storey multiple dwelling	148	8
SPA-22-129	360 King St W	25-storey building with 6-storey base	300	10
DA-22-135	1842 King St E	Four 13-storey multiple dwellings & four 4-storey townhouse dwellings, mixed use	1341	12
DA-22-142	555-559 Sanatorium Rd	Keep existing building & 2 new 6-storey buildings (apartments / retirement home)	202	7
DA-22-144	488 Dundas St E	Mixed use development up to 12 stories	605	4
DA-22-148	136 Upper Mount Albion Rd	6-storey multiple dwelling	145	9
DA-22-151	186 Hunter St E	12-storey affordable housing	104	11
DA-22-153	60 Caledon Ave	Affordable housing – 60 townhouses & 2-6 storey apartments	266	7
DA-22-154	526 Winona Rd	2 24-storey & 2 15-storey multiple dwellings, 5 blocks of 2-storey townhouses, & a 4-storey multiple dwelling	1,209	8
DA-22-161	235 Main St W	23-storey building with 282 apartment units & 6 townhouse style units	288	10
DA-22-164	999 Upper Wentworth St	Two 13-storey multiple dwellings, mixed use	298	6
DA-22-167	392 Main St W	9-storey mixed use building	171	10
DA-23-003	1107 Main St W	Stepped 15-storey mixed use building	265	10
DA-23-011	392 Wilson St E	8-storey mixed use building	170	1
DA-23-012	8 Shoreview Pl	43 and 36-storey towers connected via a 5-storey podium	933	8

<b>SHORT TERM RESIDENTIAL INTENSIFICATION (Site Plan)</b>				
<b>File Number</b>	<b>Address</b>	<b>Description</b>	<b># of Units</b>	<b>Map #</b>
DA-23-016	71 Rebecca St	30-storey mixed use building	477	11
DA-23-021	428 Main St W	10-storey mixed use building	186	10
DA-23-029	2900 King St E	Two mixed use towers with 6-storey podium and 20 and 18-storeys	564	8
DA-23-033	13 King St E	8-storey mixed use building	155	8
DA-23-035	211 John St S	14-storey mixed use building & 27-storey building	769	11
DA-23-037	2 Hayes Ave	18 and 16-storey building connected by a 3-storey podium	564	12
SPA-23-049	2782 Barton St E	17-storey building	313	8
DA-23-051	96 John St N	30-storey mixed use building with 6-storey podium	330	11
DA-23-056	1540 Upper Wentworth St	8-storey multiple dwelling	124	6
<b>Total</b>			<b>18,124</b>	

**Table 6: Potential Medium Term Residential Intensification Opportunities and Associated Unit Count**

<b>MEDIUM TERM RESIDENTIAL INTENSIFICATION (Zoning / Official Plan Amendments)</b>				
<b>File Number</b>	<b>Address</b>	<b>Description</b>	<b># of Units</b>	<b>Map #</b>
ZAC-20-017	210 Calvin St	100 residential units	100	1
ZAC-20-038	115-117 George Street & 220-222 Main St W	Mixed use building with max height of 23-storeys and 18-storeys	321	11
ZAC-20-042	1629-1655 Main St W	Mixed use building with max height of 24-storeys	583	3
ZAC-21-003	125 Pirie Dr	4-storey retirement/senior building & 17 single storey townhouses	176	3
ZAC-21-031	405 James St N	Fourteen 3 to 4 stacked townhouses & two 7-storey buildings	450	11
ZAC-21-039	1400 South Service Rd	Two 8-storey buildings & two 16-storey buildings with 2 commercial buildings	986	8

<b>MEDIUM TERM RESIDENTIAL INTENSIFICATION (Zoning / Official Plan Amendments)</b>				
<b>File Number</b>	<b>Address</b>	<b>Description</b>	<b># of Units</b>	<b>Map #</b>
ZAC-21-043	300 Albright Rd	106 townhouses (mix of stacked and standard)	106	9
ZAC-21-049	442 Wilson St E	2 concepts - 7-storey retirement home with mixed use or 6-storey mixed use, both to retain the heritage buildings	161	1
ZAC-22-001	2153 Rymal Rd E	Two 10-storey mixed use buildings & two 4-storey stacked townhouse blocks	447	9
ZAC-22-003	65 Guise St E	Tower with max height of 45-storeys (Pier 8 Block 16)	429	11
ZAC-22-012	200 Market St	Two mixed use 15-storey towers & two 27-storey towers above a 3 to 7-storey base	762	10
ZAC-22-013	200 Centennial Parkway N	Six mixed use towers ranging in height from 9-20 storeys	1150	8
ZAC-22-018	651 Queenston Rd	16-storey building	316	8
ZAC-22-028	631 Rymal Rd W	12-storey building	165	7
ZAC-22-030	399 Greenhill Ave	Two 12-storey buildings & two 3-storey mixed use buildings.	527	9
ZAC-22-032	909 North Waterdown Dr	84 stacked townhouses & a mid-rise apartment	234	4
ZAC-22-041	251 Stone Church Rd W	4-storey multiple dwelling	160	7
ZAC-22-045	570 Upper Ottawa St	12-storey mixed use building & four 3-storey stacked townhouse blocks	470	6
ZAC-22-047	1177 West 5 <sup>th</sup> St	10-storey building	215	7
ZAC-22-050	3064 Regional Rd No. 56	6-storey multiple dwelling	116	2
ZAC-22-051	3160 Regional Rd No. 56	5-storey multiple dwelling	109	2
ZAC-22-063	1310 South Service Rd	2 mixed use buildings - 8-storeys and 12-storeys, one 10-storey building, & 4 townhouse blocks with 32 live/work units	600	8
ZAC-22-066	81 Rymal Rd E	8-storey multiple dwelling & 2 townhouse blocks	220	7
ZAC-23-001	499 Mohawk Rd E	Change from District Commercial to Mixed-Use medium density (under appeal)	1995	6

<b>MEDIUM TERM RESIDENTIAL INTENSIFICATION (Zoning / Official Plan Amendments)</b>				
<b>File Number</b>	<b>Address</b>	<b>Description</b>	<b># of Units</b>	<b>Map #</b>
ZAC-23-006	1065 Paramount Dr	42 3-storey stacked townhouses, 60 3.5 storey stacked townhouses, 8 storey multiple dwelling	299	9
ZAC-23-012	1284 Main St E	Reuse of existing school site including 2 3-storey townhouses, 2 4-storey stacked townhouses, 3 14-storey apartments	975	12
ZAC-23-015	150 Mohawk Rd E	11-storey building	161	7
ZAC-23-017	2070 Rymal Rd E	10-storey mixed use building	227	9
ZAC-23-019	117 Forest Ave	One multiple dwelling residence	216	11
ZAC-23-022	2800 Library Lane	3-storey seniors' rental apartment building, includes affordable units	105	2
ZAC-23-023	2481 Barton St E	17-storey mixed use building	207	8
ZAC-23-024	117 Jackson St E	Two mixed use towers	751	11
ZAC-23-026	196-202 Upper Mount Albion	9-storey mixed use building	232	9
ZAC-23-027	175 John St N	19-storey residential building	132	11
ZAC-23-031	118 King St W	12-storey mixed use building	124	8
ZAC-23-034	95-108 Highway No 8	2 12-storey multiple dwellings	368	8
<b>Total</b>			<b>14,595</b>	

**Table 7: Potential Long Term Residential Intensification Opportunities and Associated Unit Count**

<b>LONG TERM RESIDENTIAL INTENSIFICATION (Formal Consultation Applications)</b>				
<b>File Number</b>	<b>Address</b>	<b>Description</b>	<b># of Units</b>	<b>Map #</b>
FC-20-035	242 Queen St N	6-storey building	276	11
FC-20-079	1821-1861 Upper James St	Three mixed use 8-storey towers & 78 townhouses	493	5
FC-20-091	221 Melvin Ave	12-storey mixed use building	213	12
FC-20-139	1780 Garth St	124 2-storey townhouses	124	7
FC-21-038	423 North Service Rd	27-storey condominium building	365	8

<b>LONG TERM RESIDENTIAL INTENSIFICATION (Formal Consultation Applications)</b>				
<b>File Number</b>	<b>Address</b>	<b>Description</b>	<b># of Units</b>	<b>Map #</b>
FC-21-054	215 King St W	14-storey mixed use building	102	11
FC-21-103	87 Ashley St	6-storey building	153	11
FC-21-123	134 Cannon St W	25 and 14-storey mixed use towers with 7-storey base with 4-storey hotel	469	11
FC-22-005	1631 Rymal Rd E	Seven 8-storey buildings.	936	6
FC-22-018	734 King St E	12-storey mixed use affordable housing development	258	11
FC-22-027	851 Lawrence Rd	2 towers, 15-storey and 11-storey buildings on 6-storey base.	318	12
FC-22-033	193 Elgin St	Two 8-storey buildings.	236	11
FC-22-052	65 Guise St E	Pier 8, Blocks 3 & 6	422	11
FC-22-065	965 North Waterdown Dr	Four 4-storey apartment buildings	192	4
FC-22-066	166-186 Ferguson Ave N & Robert St	High rise mixed use with 2 options	2,096	11
FC-22-075	865 Mohawk Rd W	11-storey mixed use building	136	6
FC-22-092	400 Winona Rd	106 stacked townhouses & 40 maisonettes	146	8
FC-22-097	1600 Upper James St	14-storey mixed use building	222	7
FC-22-105	1318 Upper Wellington St	9-storey building & 17 2-storey townhouses	137	7
FC-22-106	73 Hughson St N	30-storey mixed use building with 4-storey podium	330	11
FC-22-110	89 Park St N	Two mixed use 30-storey towers above a 5-storey podium	693	11
FC-22-117	865 Queenston Rd	Multiple building ranging from 3-20 storeys	212	8
FC-22-126	50 Creighton Rd	11-storey condominium building	168	3
FC-22-133	55 Catharine St S	27-storey mixed use building with 6-storey podium	392	11
FC-23-004	325 James St N	12-storey mixed use building	136	11

<b>LONG TERM RESIDENTIAL INTENSIFICATION (Formal Consultation Applications)</b>				
<b>File Number</b>	<b>Address</b>	<b>Description</b>	<b># of Units</b>	<b>Map #</b>
FC-23-008	243 Garner Rd E	32 single detached dwellings & multiple dwelling block	296	1
FC-23-012	450 James St N	6-storey building with 102 affordable units	102	11
FC-23-015	1310 Upper Wellington St	50 detached dwellings & 141 townhouses	191	7
FC-23-022	46 Ferguson Ave S	One 29-storey & one 12-storey building on a 1-storey podium.	390	11
FC-23-034	1694 Upper James St	12-storey mixed use building with 5-storey step back	400	7
FC-23-042	468 Millen Rd	16-storey building	232	8
FCSP-23-046	17 Ewen Rd	10-storey student residence	359	3
FC-23-050	1810 Upper James St	10-storey building & 40 townhouses	329	5
FC-23-053	108 James St N	Mixed use at the Tivoli Theatre	875	11
FC-23-059	140 Glen Echo Dr	Medium density with multiple buildings.	310	8
FCSP-23-060	100 Ferguson Ave S	Building to add to existing units, 383 units in total	173	11
FC-23-063	1494 Upper Wellington St	Two multiple dwellings ranging from 6 to 24 storeys in height	619	7
FC-23-064	1809 Rymal Rd E	Four 12-storey mixed use buildings.	736	9
FC-23-071	365 Highway No 8	9-storey mixed use building	176	8
FC-23-072	205 Cannon St E	8-storey mixed use building	277	11
FC-23-073	15-29 Barton St E, 259-271 Hughson	17-storey mixed use multiple dwelling	175	11
FC-23-076	347 Centennial Parkway	2 30-storey towers connected by 3-storey podium	684	8
FC-23-079	33 Sanford Ave S	15-storey residential building	198	11
FC-23-083	56-64 Fennell Ave E & 651-677 Upper	15-storey multiple dwelling, 3 20-storey	830	7



<b>LONG TERM RESIDENTIAL INTENSIFICATION (Formal Consultation Applications)</b>				
<b>File Number</b>	<b>Address</b>	<b>Description</b>	<b># of Units</b>	<b>Map #</b>
	James St	mixed use multiple dwellings, commercial units		
FC-23-088	1866 Rymal Rd E	6-storey mixed use building, upper floors for retirement home	165	9
FCSP-23-110	1452 Upper James St	8-storey mixed use building	310	7
<b>Total</b>			<b>17,052</b>	

## **5.0 INFRASTRUCTURE TO SUPPORT GROWTH**

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Growth generally impacts the municipal infrastructure system. Development projects, including redevelopments, may require extension of municipal services such as sewers, watermains, and roads, and stormwater management. Development projects may also require that existing infrastructure be expanded, upsized, or otherwise upgraded to accommodate expansion and continued growth. It is important to identify, plan and have the infrastructure in place and available to support the growth.

The Staging of Development program assists in the development of a comprehensive, multi-year Capital Works program, in order to ensure adequate infrastructure is in place to support growth in the City.

The City’s 10 year Capital Budget forecast is a 10 year projection and includes a list of planned projects by year. The 10 year Capital Budget forecast does not constitute approval of a particular project, rather it reflects the City’s priorities for projects at the date of the adoption of the budget and can provide developers more certainty on the timing of their development projects. Individual capital projects must still receive Council approval and funding allocation in each given funding year.

## **6.0 2024 – 2026 DEVELOPMENT CHARGE FUNDED CAPITAL BUDGET HIGHLIGHTS**

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Although Development Charge fees pay for growth related infrastructure, developers are also responsible for a share of the cost of that infrastructure that serves their development. The developer’s contribution is described as the local share of growth related infrastructure and is integral to the philosophy of the City’s Development Charges By-Law Local Service Policy that defines developer’s obligations. A list of key Development Charged funded Capital Projects over the next three years is summarized in Table 8 below.



**Table 8: 2024 – 2026 Development Charge Funded Capital Infrastructure Highlights**

<b>DEVELOPMENT CHARGE FUNDED CAPITAL INFRASTRUCTURE HIGHLIGHTS FOR 2024 – 2026</b>			
	<b>Project Description</b>	<b>Category</b>	<b>Status</b>
<b>Ancaster / Dundas</b>			
<b>1</b>	<b>HC011 Calvin Street Wastewater Pumping Station Upgrades</b> <i>Provide additional capacity to service growth in Ancaster</i>	Wastewater Capacity	Under Construction; completion expected in 2024.
<b>2</b>	<b>HD018 Garner Road Water Pumping Station Upgrades</b> <i>Provide additional capacity to service growth in Ancaster</i>	Water	Under Construction; completion expected in 2024.
<b>3</b>	<b>HD012A and HD022 Governors Road Pumping Stations (New Water Pumping Stations)</b> <i>Provide additional capacity to service growth in Dundas</i>	Water	Construction scheduled for 2023
<b>4</b>	<b>HD016 York and Valley Roads Water Booster Pumping Station Upgrades</b> <i>Provide additional capacity to service growth in Flamborough</i>	Water	Construction scheduled for 2025
<b>5</b>	<b>Garner Road Trunk Watermain (Wilson Street to Southcote Road)</b> <i>New 500/600mm watermain</i>	Water	Construction scheduled for 2024
<b>Airport Employment Growth District / Mt. Hope</b>			
<b>6</b>	<b>Garner Road Trunk Sanitary Sewer (west of Raymond Road to Smith Road)</b> <i>New 375/600mm trunk sanitary sewer</i>	Wastewater	Construction scheduled for 2024
<b>7</b>	<b>Garner Road Sanitary Pumping Station (East of Hwy 6)</b> <i>New sanitary pumping station (SPS)</i>	Wastewater	Timing Determined by Developer
<b>8</b>	<b>Garner Road Forcemain (SPS to Smith Road)</b> <i>New 375mm sanitary sewer forcemain</i>	Wastewater	Timing Determined by Developer
<b>9</b>	<b>Garner Road Improvements (Hwy 6 to Upper Paradise Road)</b> <i>Widen from 2 lane rural cross section to 4 lane urban cross section</i>	Road	Construction targeted for 2026

10	<b>Glancaster Road Sanitary Sewer (Book Road to Dickenson Road)</b> <i>New 375mm sanitary sewer</i>	Wastewater	Construction targeted for 2025
11	<b>Glancaster Road Watermain (Garner Road to Twenty Road)</b> <i>New 600mm watermain</i>	Water	Construction anticipated for 2025 / 2026
12	<b>Glancaster Road Improvements (Garner Road to Dickenson Road)</b> <i>Widen from 2 lane rural cross section to 3 lane industrial cross section</i>	Road	Construction scheduled for 2026
13	<b>Arterial Road 1N Sanitary Sewer (Smith Road to Dickenson Road)</b> <i>New 375mm sanitary sewer</i>	Wastewater	Construction anticipated for 2026
14	<b>Book Road Trunk Sanitary Sewer (400m west of Southcote Road to Smith Road)</b> <i>New 600mm sanitary sewer</i>	Wastewater	Construction scheduled for 2026
15	<b>Book Road Watermain (Southcote Road to Smith Road)</b> <i>New 400mm watermain</i>	Water	Construction anticipated for 2026
16	<b>Book Road Improvements (Southcote Road to Smith Road)</b> <i>Widen from 2 lane rural cross section to 4 lane industrial cross section</i>	Road	Construction targeted for 2026
17	<b>Smith Road (Garner Road south to Hydro Corridor)</b> <i>New 2 lane industrial road</i>	Road	Timing Determined by Developer
18	<b>Arterial Road 1N (Glancaster Road to Dickenson Road)</b> <i>New 4 lane industrial road</i>	Road	Timing Determined by Developer
19	<b>Airport Road Improvements (Upper James Street to Provident Way)</b> <i>Widen from 2 lane cross section (varied) to 3 lane urban cross section</i>	Road	Construction targeted for 2026
<b>Binbrook</b>			
20	<b>Fletcher Road Watermain (Binbrook Road to Pumpkin Pass)</b> <i>New 400mm watermain</i>	Water	Construction targeted for 2024
21	<b>Fletcher Road Watermain (Binbrook Road to Windwood Drive)</b> <i>New 400mm watermain</i>	Water	Construction targeted for 2024

22	<b>Binbrook Road Watermain (Royal Winter Blvd / Binhaven Blvd to Fletcher Road)</b> <i>New 400mm watermain</i>	Water	Construction targeted for 2024
23	<b>Binbrook Road Sanitary Sewer (Fletcher Road to Brigham Ave)</b> <i>New 375mm sanitary sewer</i>	Wastewater	Construction targeted for 2024
24	<b>Binbrook Road Improvements (Royal Winter Blvd / Binhaven Blvd to Fletcher Road)</b> <i>Widen from 2 lane rural cross section to 3 lane urban cross section</i>	Road	Construction targeted for 2024
<b>Red Hill Business Park South</b>			
25	<b>Dickenson Road Trunk Sanitary Sewer (Hwy 56 to Upper James Street)</b> <i>New trunk sanitary sewer to convey flows from AEGD to the Centennial Trunk Sewer</i>	Wastewater	Construction began in 2022; completion expected in 2026
26	<b>Dickenson Road Watermain (Nebo Road to 800m east of Nebo Road)</b> <i>New 300mm watermain</i>	Water	Construction targeted for 2028
27	<b>Nebo Road Watermain – (900m south of Twenty Road to Dickenson Road)</b> <i>New 300mm watermain</i>	Water	Construction anticipated for 2025
28	<b>Nebo Road Improvements (Rymal Road East to Twenty Road East)</b> <i>Urbanize road to industrial standard (2 lanes)</i>	Road	Construction scheduled for 2024
29	<b>Dartnall Road Extension (Twenty Road to Dickenson Road)</b> <i>New 4 lane industrial road</i>	Road	Construction targeted for 2026
<b>Stoney Creek Upper</b>			
30	<b>First Road West Improvements (Bedrock Drive to Ridgeview Drive)</b> <i>Road urbanization (2 lanes)</i>	Road	Construction anticipated for 2025
31	<b>Talon Road (Pritchard Road to Upper Red Hill Valley Parkway)</b> <i>New 2 lane industrial road</i>	Road	Project scheduled for 2023
<b>Stoney Creek Lower</b>			

32	<b>Millen Road Sanitary Sewer QEW Crossing</b> <i>New 450mm sanitary sewer</i>	Wastewater	Timing Determined by Developer
33	<b>Gordon Dean Avenue (Hwy 8 to Barton Street)</b> <i>New 4 lane road</i>	Road	Timing Determined by Developer
34	<b>Lewis Road Watermain (Barton Street to Hwy 8)</b> <i>Watermain upgrade from 150mm to 300mm</i>	Water	Timing Determined by Developer
35	<b>Lewis Road Improvements (Hwy 8 to Barton Street)</b> <i>Road urbanization (2 lanes)</i>	Road	Timing Determined by Developer
36	<b>McNeilly Road Improvements (Barton Street to Hwy 8)</b> <i>Road urbanization (2 lanes)</i>	Road	Timing Determined by Developer
37	<b>Barton Road Improvements (Fruitland Road to Fifty Road)</b> <i>Widen from 2 lane rural cross section to 4 lane urban cross section</i>	Road	Construction scheduled for 2026
38	<b>Jones Road Improvements (Barton Street to Hwy 8)</b> <i>Road urbanization (2 lanes)</i>	Road	Timing Determined by Developer
39	<b>Glover Road Improvements (Barton Street to Hwy 8)</b> <i>Road urbanization (2 lanes)</i>	Road	Timing Determined by Developer
40	<b>Glover Road Improvements (Rymal Road East to Twenty Road East)</b> <i>Urbanize road to industrial standard (2 lanes)</i>	Road	Construction targeted for 2026
<b>Waterdown / Flamborough</b>			
41	<b>North Waterdown Drive (Centre Road to Parkside Drive)</b> <i>New 2 lane road</i>	Road	Construction scheduled for 2023/2024
42	<b>Parkside Drive Improvements (North Waterdown Drive to Avonsyde Boulevard)</b> <i>Widen from 2 lane rural cross section to 4 lane urban cross section</i>	Road	Construction anticipated for 2024/2025
43	<b>Parkside Drive Improvements (Hollybush Drive to Hwy 6)</b>	Road	Construction targeted for 2026

	<i>Road urbanization (2 lanes)</i>		
44	<b>Waterdown Road Improvements (Mountain Brow Road to Craven Avenue in City of Burlington)</b> <i>Widen from 2 lane rural cross section to urban 3 lane cross section to address road capacity demands in Waterdown</i>	Road	Construction scheduled for 2024/2025
45	<b>Mountain Brow Road Improvements (Waterdown Road to Flanders Drive)</b> <i>Widen from 2 lane rural cross section to 4 lane urban cross section</i>	Road	Construction scheduled for 2024
<b>City Wide</b>			
46	<b>Main Wastewater Pumping Station at Woodward WWTP Upgraded</b>	Wastewater Capacity	Substantial Performance Construction Completed in 2022
47	<b>Stormwater Management Facilities New facilities within plans of subdivision</b>	Stormwater	Co-ordinated approach to the delivery of infrastructure
<b>Class Environmental Assessments (EAs)</b>			
48	<b>Barton Street/Fifty Road Class EA</b> <i>Study to identify corridor improvements to address future demands (Fruitland-Winona Secondary Plan) on Barton Street and Fifty Road</i>	Study – Schedule ‘C’ MCEA	Study to be completed in 2023
49	<b>Hwy 8 Class EA (Fruitland Road to Fifty Road)</b> <i>Study to identify corridor improvements to address future demands (Fruitland-Winona Secondary Plan) on Hwy 8</i>	Study – Schedule ‘C’ MCEA	Study to be completed in 2024
50	<b>Block Servicing Strategy – Block 1 within Fruitland-Winona Secondary Plan including Gordon Dean Avenue Phase 3 &amp; 4 EA</b>	Study	Study to be completed in 2023
51	<b>Upper Red Hill Valley and Twenty Road Extension Class EA</b> <i>Network improvements to support development of the business park lands</i>	Study – Schedule ‘C’ MCEA	Study to be completed in 2024
52	<b>Southcote Road Improvements (Garner Road to Highway 403 Bridge)</b> <i>Road urbanization (2 lanes)</i>	Road	Construction scheduled for 2023

53	<b>Mohawk Road Class EA (Lime Kiln/McNiven to Highway 403)</b> <i>Study to identify road improvements</i>	Study – Schedule ‘C’ MCEA	EA completed in 2019; Stormwater Conceptual Design to be completed in 2023
54	<b>Dickenson Road Class EA (Upper James Street to Glancaster Road)</b> <i>Study to identify road improvements to support planned growth in the AEGD</i>	Study – Schedule ‘C’ MCEA	Study to be completed in 2024
55	<b>Glancaster Road Class EA (Garner Road to Dickenson Road)</b> <i>Study to identify road improvements to support planned growth in the AEGD</i>	Study – Schedule ‘C’ MCEA	Study to be completed in 2024
56	<b>Book Road Corridor EA (Phases 2-4 Glancaster Road to Hwy 6, as well as Arterial 1N, Glancaster Rd., widening between Arterial 1N and Dickenson Road)</b> <i>Study to identify road improvements to support planned growth in the AEGD</i>	Study – Schedule ‘C’ MCEA	Study scheduled for 2024
57	<b>Southcote Road Class EA (Garner Road to Glancaster Road)</b> <i>Study to identify road improvements to support planned growth in the AEGD</i>	Study – Schedule ‘C’ MCEA	Study scheduled for 2024
58	<b>Smith Road Class EA (Garner Road to Book Road)</b> <i>Study to identify road improvements to support planned growth in the AEGD</i>	Study – Schedule ‘C’ MCEA	Study scheduled for 2025
59	<b>Clappison Avenue Extension Class EA (Parkside Drive to North Waterdown Drive)</b> <i>Study to identify road improvements to support planned growth in Waterdown</i>	Study – Schedule ‘C’ MCEA	Study scheduled for 2024

**Endnotes:**

*Data Sources:*

*Previous Staging of Development Reports were based on Canadian Mortgage and Housing Corporation data and subsequently transitioned to building permits in 2015. The data was compiled by the Planning and Economic Development Department, GIS - Planning and Analysis Section using a variety of data sources including, but not limited to: Engineering Approvals – Status Database; AMANDA; and, official file information from the Legislative Approvals and*

*Staging of Development Section. The data contained within this report is intended for the Staging of Development Report only, and should not be used for land budgeting or growth planning purpose(s).*

*Query Dates:*

- *Pending Draft Approvals were queried in June 2023*
- *Draft Approved Plans were queried in June 2023*
- *Residential Intensification Applications were first queried in Spring 2023*

*Updated information was added to the original query results as new applications were received or applications changed status, to the best of staff's ability.*

*NOTES:*

- *Institutional / Commercial / Industrial (ICI) statistics are generally based on the assumption that 30% of the respective block can be developed for ICI purposes. In addition, Mixed Use land uses were included as Commercial for ICI calculations.*
- *Apartment units are defined as including traditional high-rise apartment units as well as apartment-type multi-residential structures under 7 units (including triplexes and duplexes) and stacked townhouses. Generally, back-to-back towns were deemed to be at-grade development and therefore classified as a townhouse.*
- *The last published Staging of Development Report was in 2019 and has not been published since due to the pandemic, therefore, there is a gap in information from the 2019 Report to the current Report.*

## Appendices

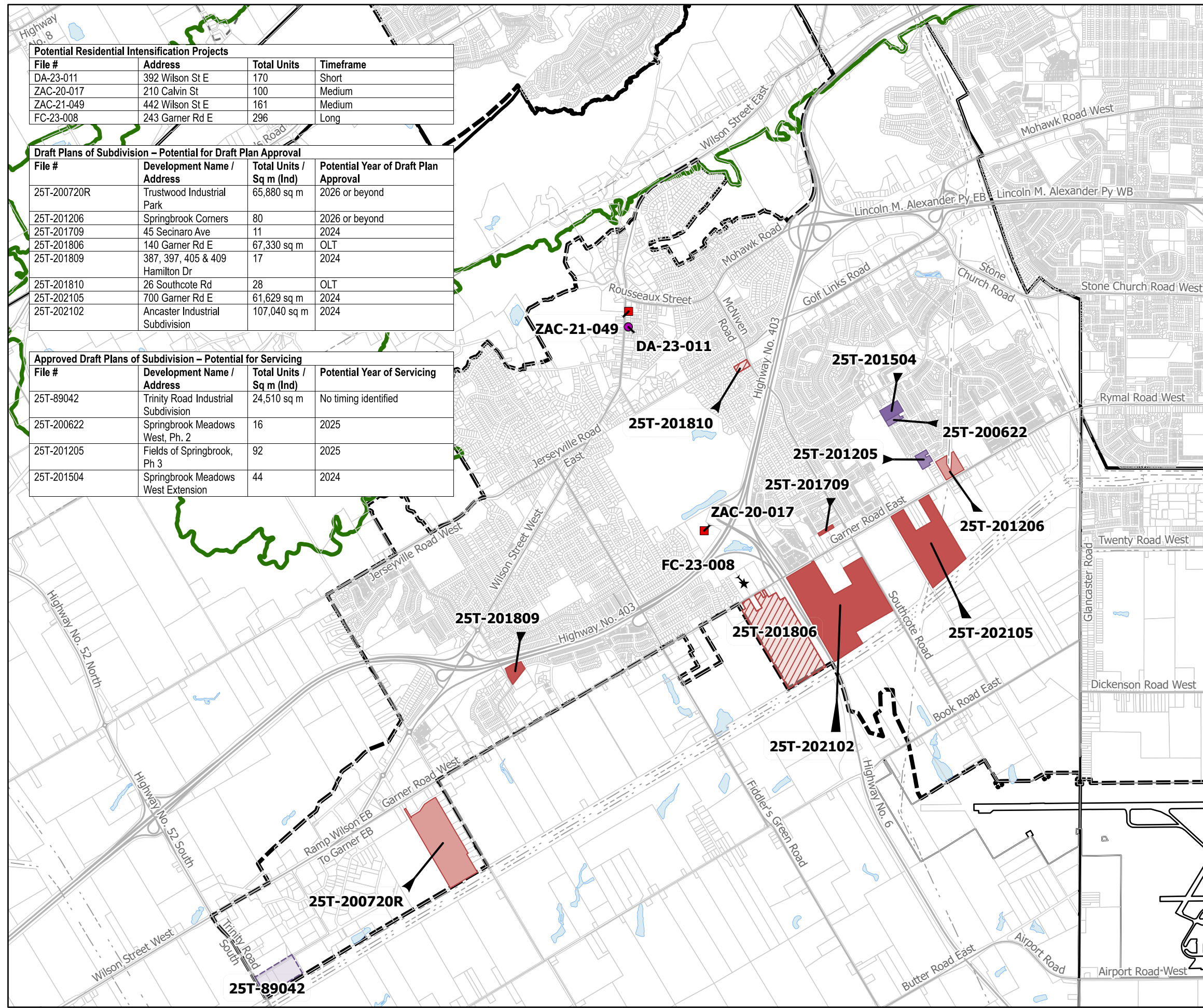
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Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-23-011	392 Wilson St E	170	Short
ZAC-20-017	210 Calvin St	100	Medium
ZAC-21-049	442 Wilson St E	161	Medium
FC-23-008	243 Garner Rd E	296	Long

Draft Plans of Subdivision – Potential for Draft Plan Approval			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Draft Plan Approval
25T-200720R	Trustwood Industrial Park	65,880 sq m	2026 or beyond
25T-201206	Springbrook Corners	80	2026 or beyond
25T-201709	45 Secinaro Ave	11	2024
25T-201806	140 Garner Rd E	67,330 sq m	OLT
25T-201809	387, 397, 405 & 409 Hamilton Dr	17	2024
25T-201810	26 Southcote Rd	28	OLT
25T-202105	700 Garner Rd E	61,629 sq m	2024
25T-202102	Ancaster Industrial Subdivision	107,040 sq m	2024

Approved Draft Plans of Subdivision – Potential for Servicing			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Servicing
25T-89042	Trinity Road Industrial Subdivision	24,510 sq m	No timing identified
25T-200622	Springbrook Meadows West, Ph. 2	16	2025
25T-201205	Fields of Springbrook, Ph 3	92	2025
25T-201504	Springbrook Meadows West Extension	44	2024



### Legend

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## 1 - Ancaster

### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

Date: December 5, 2023

Meters

Hamilton

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**

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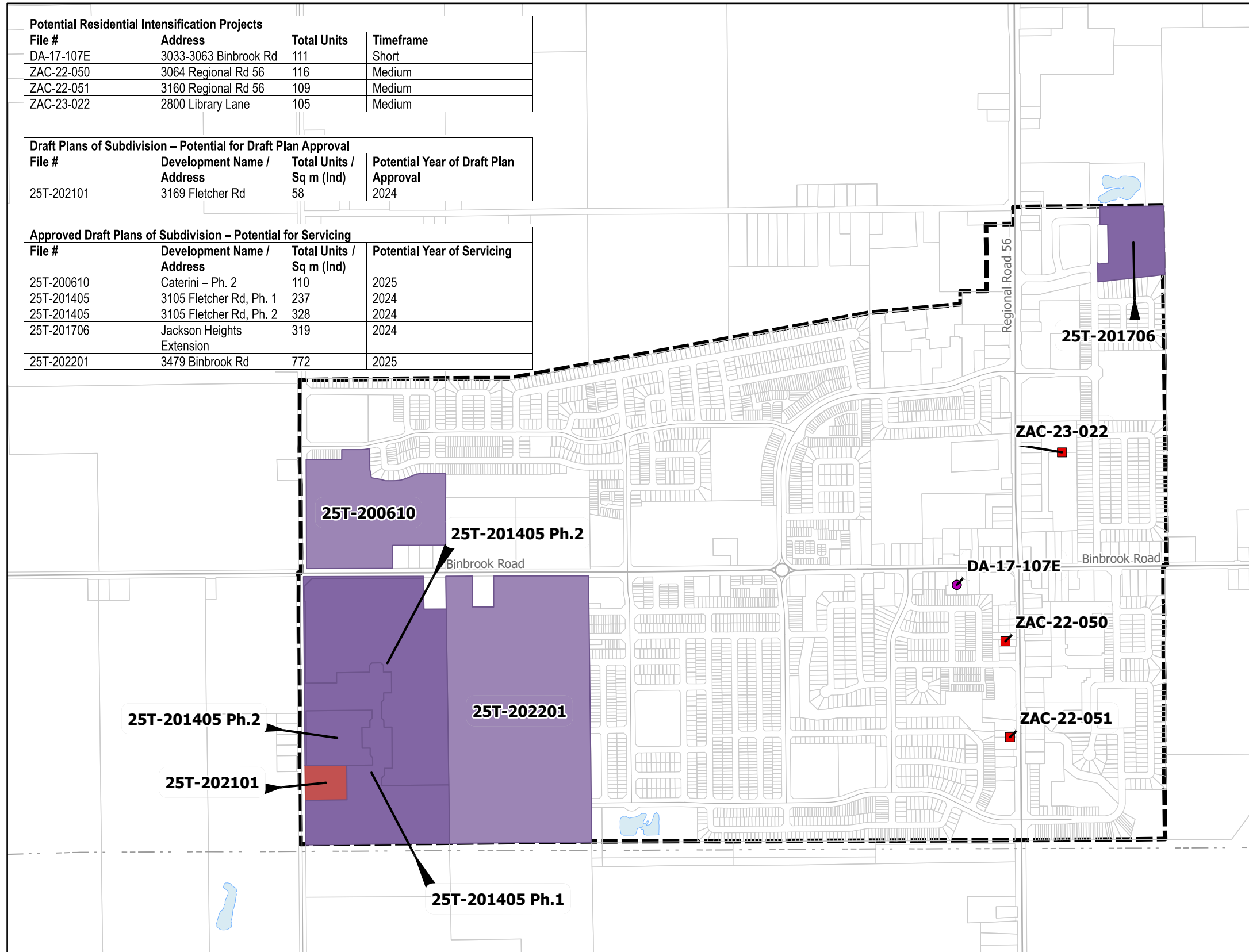
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Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-17-107E	3033-3063 Binbrook Rd	111	Short
ZAC-22-050	3064 Regional Rd 56	116	Medium
ZAC-22-051	3160 Regional Rd 56	109	Medium
ZAC-23-022	2800 Library Lane	105	Medium

Draft Plans of Subdivision – Potential for Draft Plan Approval			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Draft Plan Approval
25T-202101	3169 Fletcher Rd	58	2024

Approved Draft Plans of Subdivision – Potential for Servicing			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Servicing
25T-200610	Caterini – Ph. 2	110	2025
25T-201405	3105 Fletcher Rd, Ph. 1	237	2024
25T-201405	3105 Fletcher Rd, Ph. 2	328	2024
25T-201706	Jackson Heights Extension	319	2024
25T-202201	3479 Binbrook Rd	772	2025



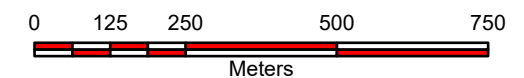
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## 2 - Binbrook

### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

Date:  
December 5, 2023



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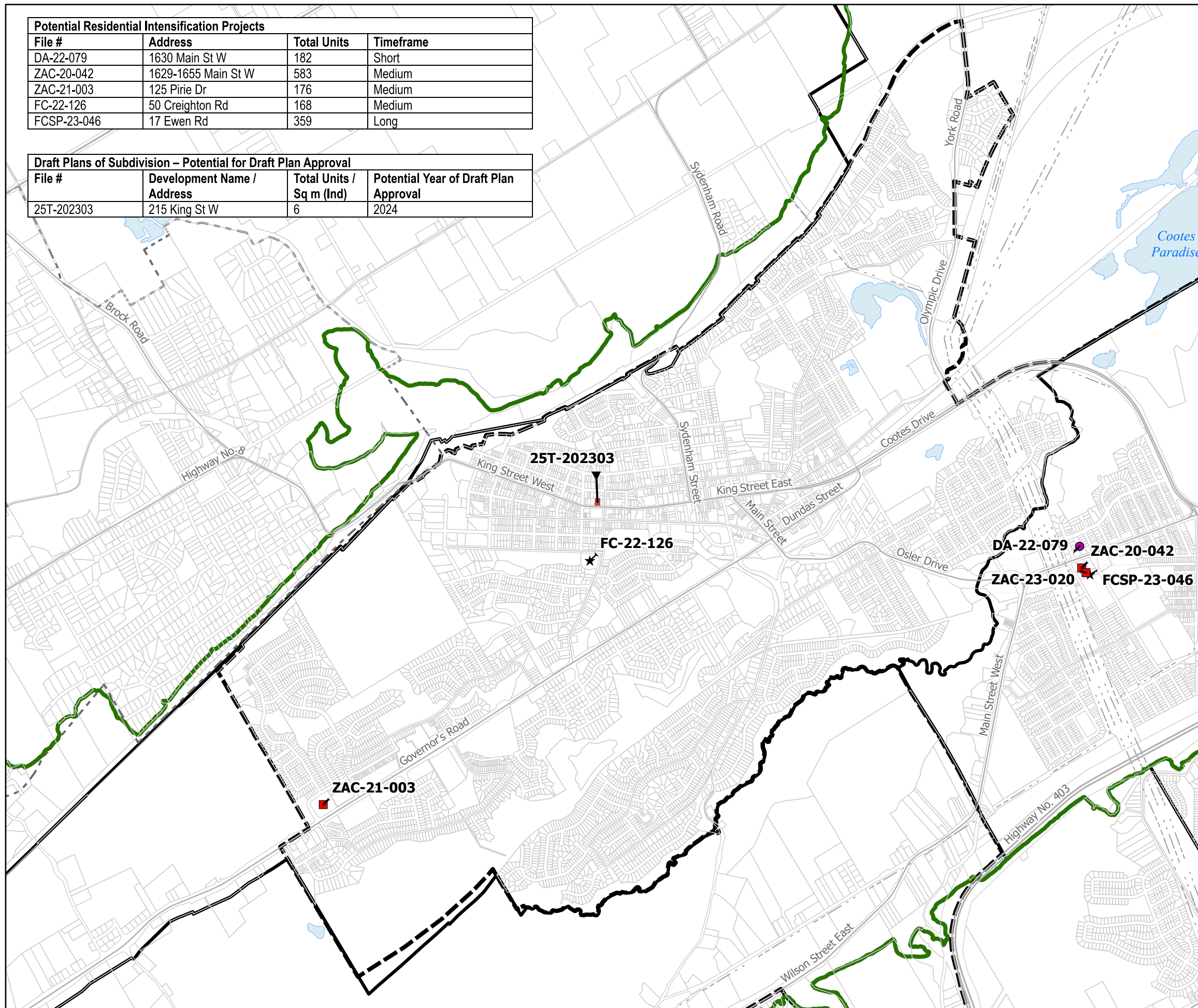
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Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-22-079	1630 Main St W	182	Short
ZAC-20-042	1629-1655 Main St W	583	Medium
ZAC-21-003	125 Pirie Dr	176	Medium
FC-22-126	50 Creighton Rd	168	Medium
FCSP-23-046	17 Ewen Rd	359	Long

Draft Plans of Subdivision – Potential for Draft Plan Approval			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Draft Plan Approval
25T-202303	215 King St W	6	2024



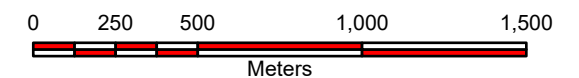
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## 3 - Dundas/West Hamilton

### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

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December 5, 2023



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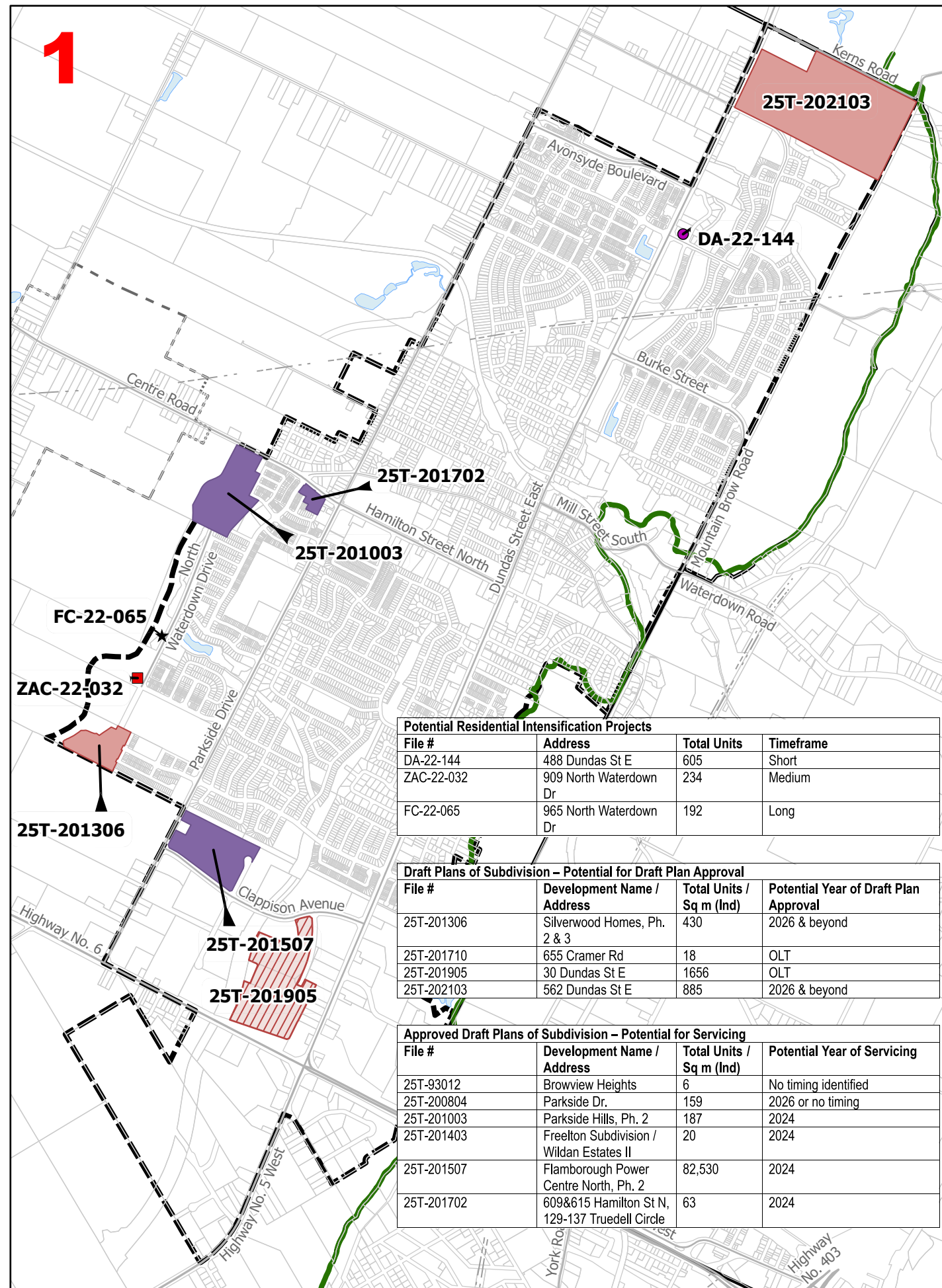
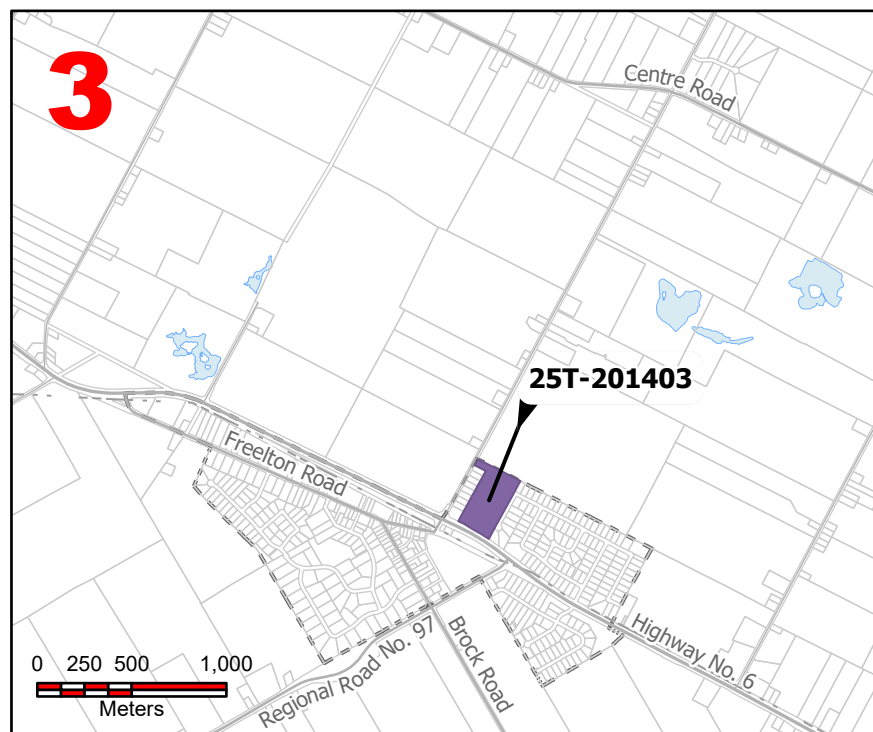
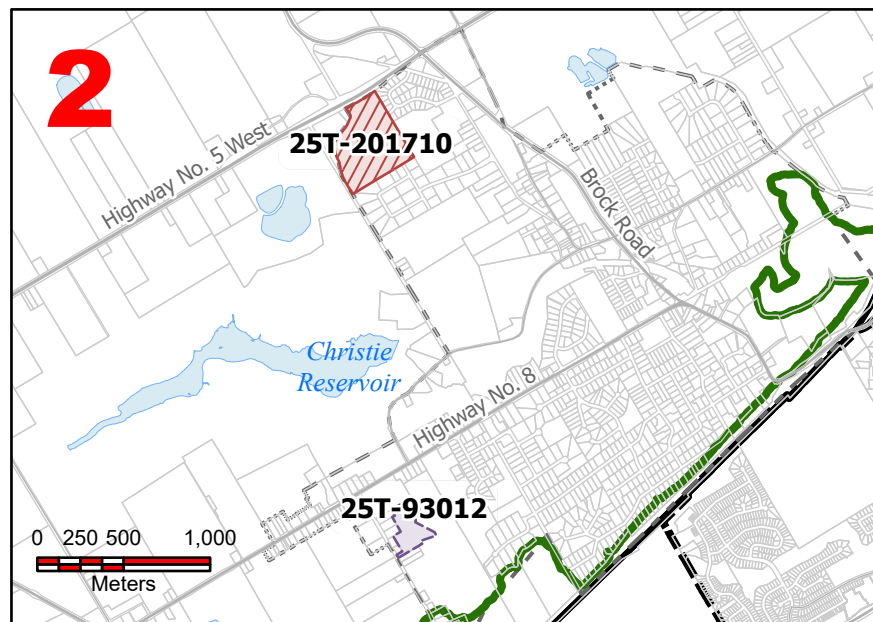
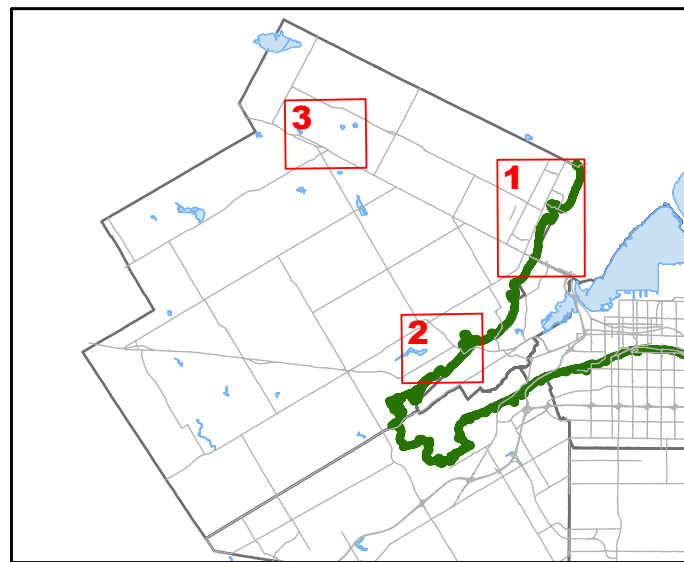
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Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-22-144	488 Dundas St E	605	Short
ZAC-22-032	909 North Waterdown Dr	234	Medium
FC-22-065	965 North Waterdown Dr	192	Long

Draft Plans of Subdivision – Potential for Draft Plan Approval			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Draft Plan Approval
25T-201306	Silverwood Homes, Ph. 2 & 3	430	2026 & beyond
25T-201710	655 Cramer Rd	18	OLT
25T-201905	30 Dundas St E	1656	OLT
25T-202103	562 Dundas St E	885	2026 & beyond

Approved Draft Plans of Subdivision – Potential for Servicing			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Servicing
25T-93012	Browview Heights	6	No timing identified
25T-200804	Parkside Dr.	159	2026 or no timing
25T-201003	Parkside Hills, Ph. 2	187	2024
25T-201403	Freelton Subdivision / Wildan Estates II	20	2024
25T-201507	Flamborough Power Centre North, Ph. 2	82,530	2024
25T-201702	609&615 Hamilton St N, 129-137 Truedell Circle	63	2024

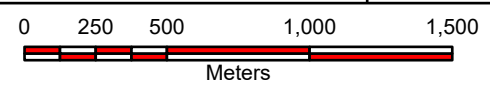
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## 4 - Flamborough

### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

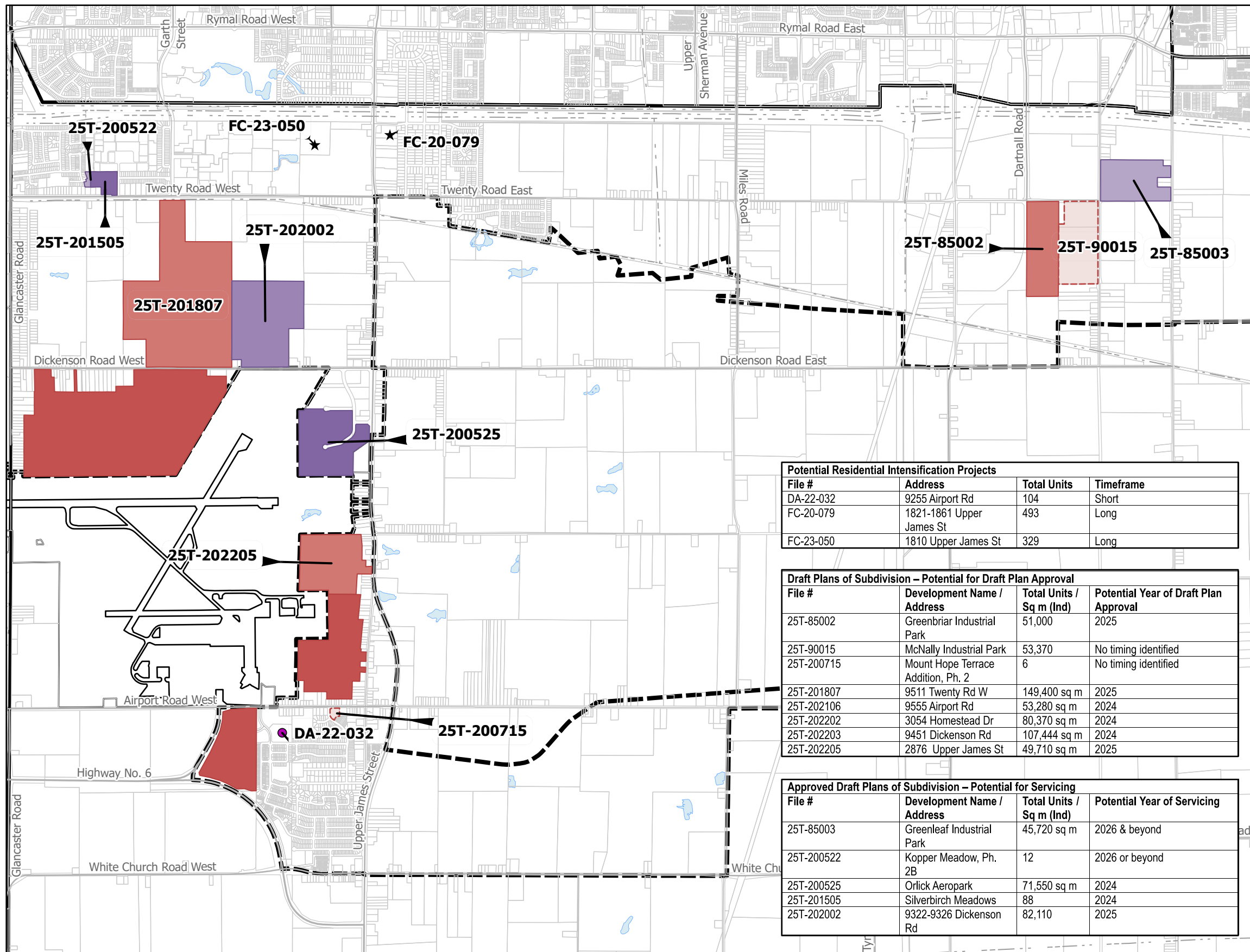
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Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-22-032	9255 Airport Rd	104	Short
FC-20-079	1821-1861 Upper James St	493	Long
FC-23-050	1810 Upper James St	329	Long

Draft Plans of Subdivision – Potential for Draft Plan Approval			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Draft Plan Approval
25T-85002	Greenbriar Industrial Park	51,000	2025
25T-90015	McNally Industrial Park	53,370	No timing identified
25T-200715	Mount Hope Terrace Addition, Ph. 2	6	No timing identified
25T-201807	9511 Twenty Rd W	149,400 sq m	2025
25T-202106	9555 Airport Rd	53,280 sq m	2024
25T-202202	3054 Homestead Dr	80,370 sq m	2024
25T-202203	9451 Dickenson Rd	107,444 sq m	2024
25T-202205	2876 Upper James St	49,710 sq m	2025

Approved Draft Plans of Subdivision – Potential for Servicing			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Servicing
25T-85003	Greenleaf Industrial Park	45,720 sq m	2026 & beyond
25T-200522	Kopper Meadow, Ph. 2B	12	2026 or beyond
25T-200525	Orlick Aeropark	71,550 sq m	2024
25T-201505	Silverbirch Meadows	88	2024
25T-202002	9322-9326 Dickenson Rd	82,110	2025

- ### Legend
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  - Community Boundary
  - Rural Settlement Boundary
  - Transmission Line
  - Urban Boundary

## 5 - Glanbrook

### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

Date:  
December 5, 2023

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**

Data reflects development staging as of June 30, 2023.

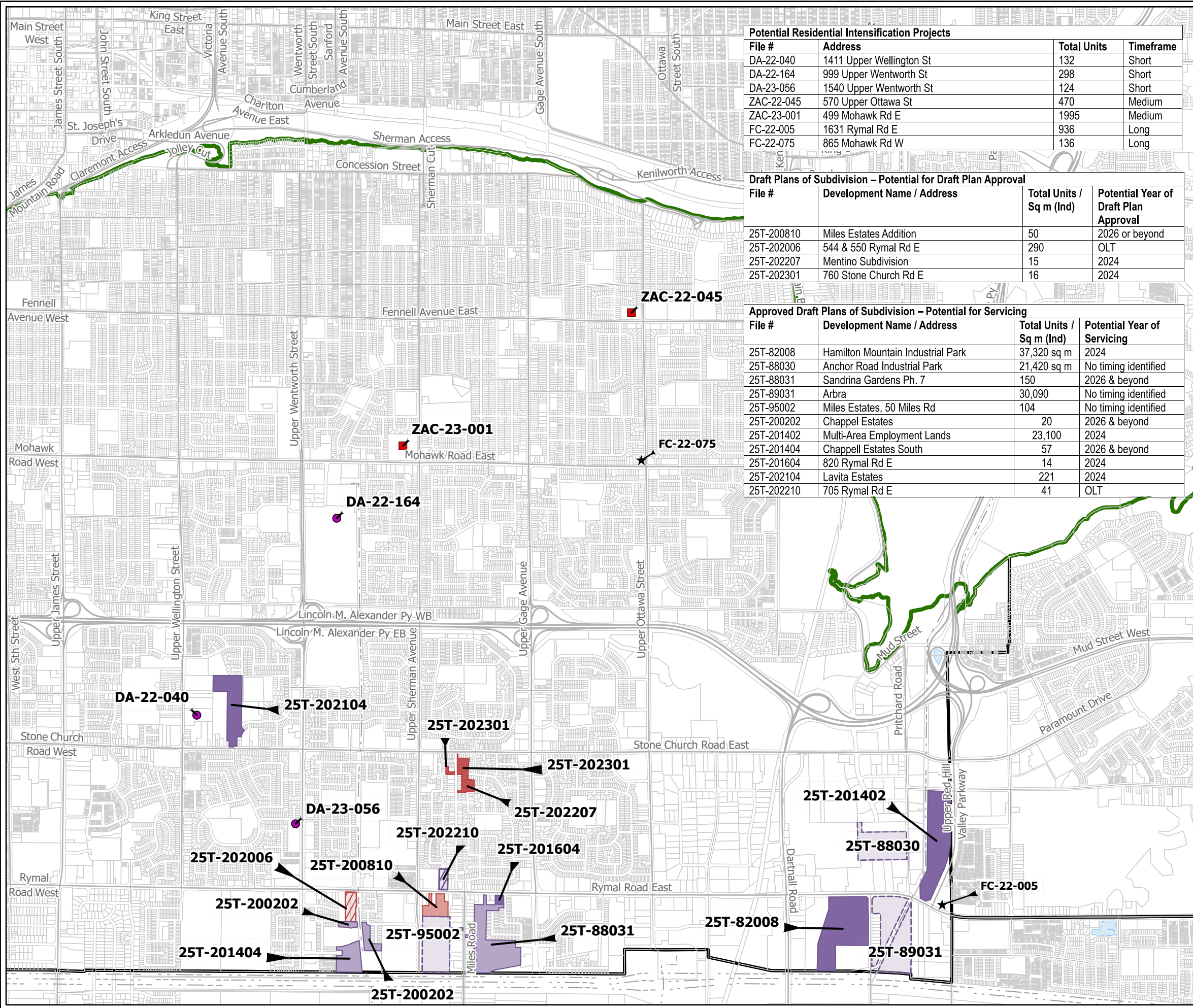
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Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-22-040	1411 Upper Wellington St	132	Short
DA-22-164	999 Upper Wentworth St	298	Short
DA-23-056	1540 Upper Wentworth St	124	Short
ZAC-22-045	570 Upper Ottawa St	470	Medium
ZAC-23-001	499 Mohawk Rd E	1995	Medium
FC-22-005	1631 Rymal Rd E	936	Long
FC-22-075	865 Mohawk Rd W	136	Long

Draft Plans of Subdivision – Potential for Draft Plan Approval			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Draft Plan Approval
25T-200810	Miles Estates Addition	50	2026 or beyond
25T-202006	544 & 550 Rymal Rd E	290	OLT
25T-202207	Mentino Subdivision	15	2024
25T-202301	760 Stone Church Rd E	16	2024

Approved Draft Plans of Subdivision – Potential for Servicing			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Servicing
25T-82008	Hamilton Mountain Industrial Park	37,320 sq m	2024
25T-88030	Anchor Road Industrial Park	21,420 sq m	No timing identified
25T-88031	Sandrina Gardens Ph. 7	150	2026 & beyond
25T-89031	Arbra	30,090	No timing identified
25T-95002	Miles Estates, 50 Miles Rd	104	No timing identified
25T-200202	Chappel Estates	20	2026 & beyond
25T-201402	Multi-Area Employment Lands	23,100	2024
25T-201404	Chappell Estates South	57	2026 & beyond
25T-201604	820 Rymal Rd E	14	2024
25T-202104	Lavita Estates	221	2024
25T-202210	705 Rymal Rd E	41	OLT

### Legend

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- Urban Boundary

## 6 - Hamilton Mountain East

### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

Date: December 5, 2023

Meters

Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Data reflects development staging as of June 30, 2023

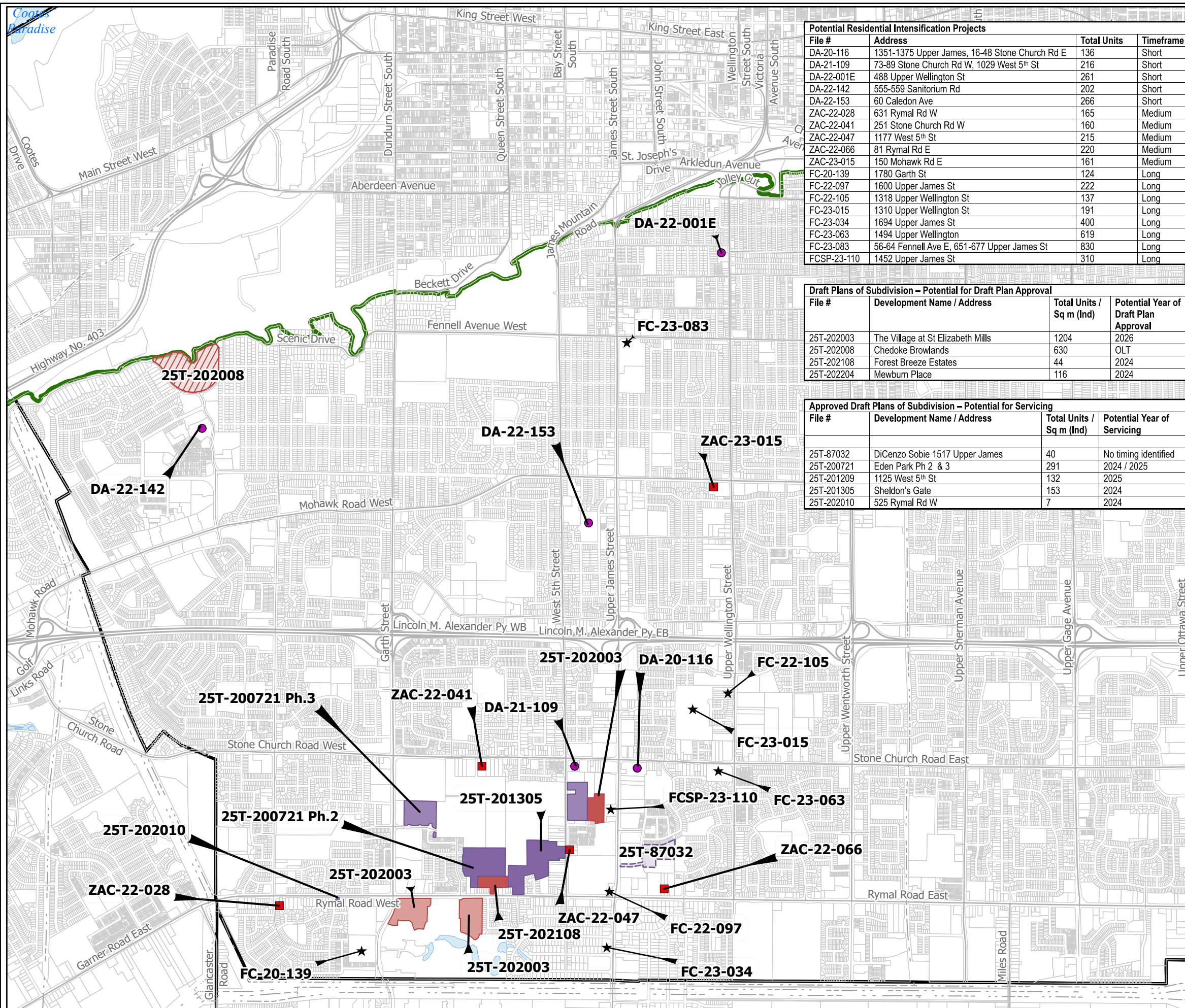
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Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-20-116	1351-1375 Upper James, 16-48 Stone Church Rd E	136	Short
DA-21-109	73-89 Stone Church Rd W, 1029 West 5 <sup>th</sup> St	216	Short
DA-22-001E	488 Upper Wellington St	261	Short
DA-22-142	555-559 Sanitorium Rd	202	Short
DA-22-153	60 Caledon Ave	266	Short
ZAC-22-028	631 Rymal Rd W	165	Medium
ZAC-22-041	251 Stone Church Rd W	160	Medium
ZAC-22-047	1177 West 5 <sup>th</sup> St	215	Medium
ZAC-22-066	81 Rymal Rd E	220	Medium
ZAC-23-015	150 Mohawk Rd E	161	Medium
FC-20-139	1780 Garth St	124	Long
FC-22-097	1600 Upper James St	222	Long
FC-22-105	1318 Upper Wellington St	137	Long
FC-23-015	1310 Upper Wellington St	191	Long
FC-23-034	1694 Upper James St	400	Long
FC-23-063	1494 Upper Wellington	619	Long
FC-23-083	56-64 Fennell Ave E, 651-677 Upper James St	830	Long
FCSP-23-110	1452 Upper James St	310	Long

Draft Plans of Subdivision – Potential for Draft Plan Approval			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Draft Plan Approval
25T-202003	The Village at St Elizabeth Mills	1204	2026
25T-202008	Chedoke Browlands	630	OLT
25T-202108	Forest Breeze Estates	44	2024
25T-202204	Mewburn Place	116	2024

Approved Draft Plans of Subdivision – Potential for Servicing			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Servicing
25T-87032	DiCenzo Sobie 1517 Upper James	40	No timing identified
25T-200721	Eden Park Ph 2 & 3	291	2024 / 2025
25T-201209	1125 West 5 <sup>th</sup> St	132	2025
25T-201305	Sheldon's Gate	153	2024
25T-202010	525 Rymal Rd W	7	2024

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- Transmission Line
- Urban Boundary
- ▨ DraftApproved\_Subdivisions

## 7 - Hamilton Mountain West

### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

Date: December 5, 2023

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**

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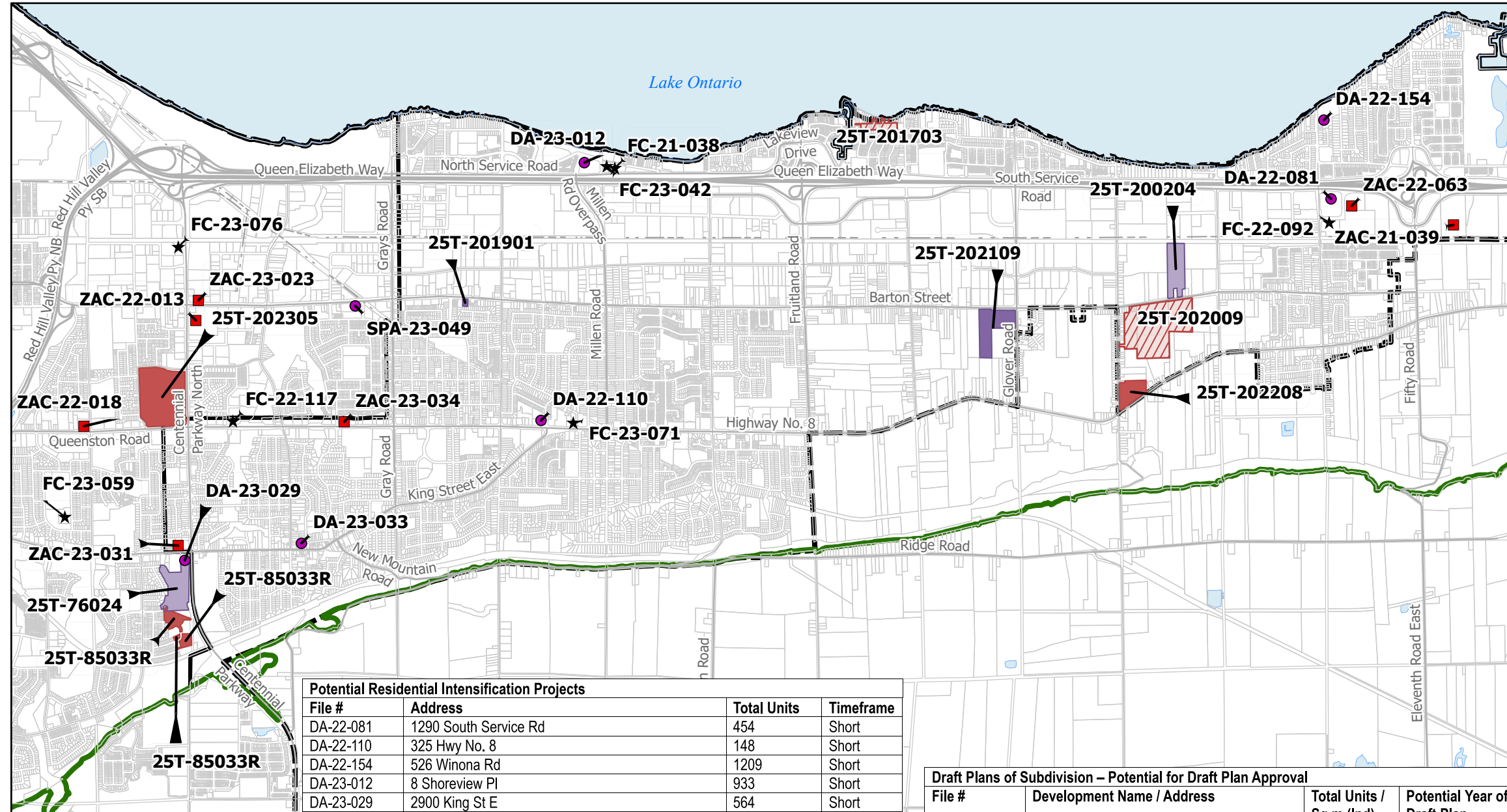
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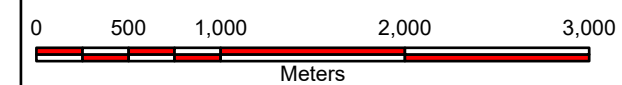
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## 8 - Lower Stoney Creek

### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

Date:  
December 5, 2023



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

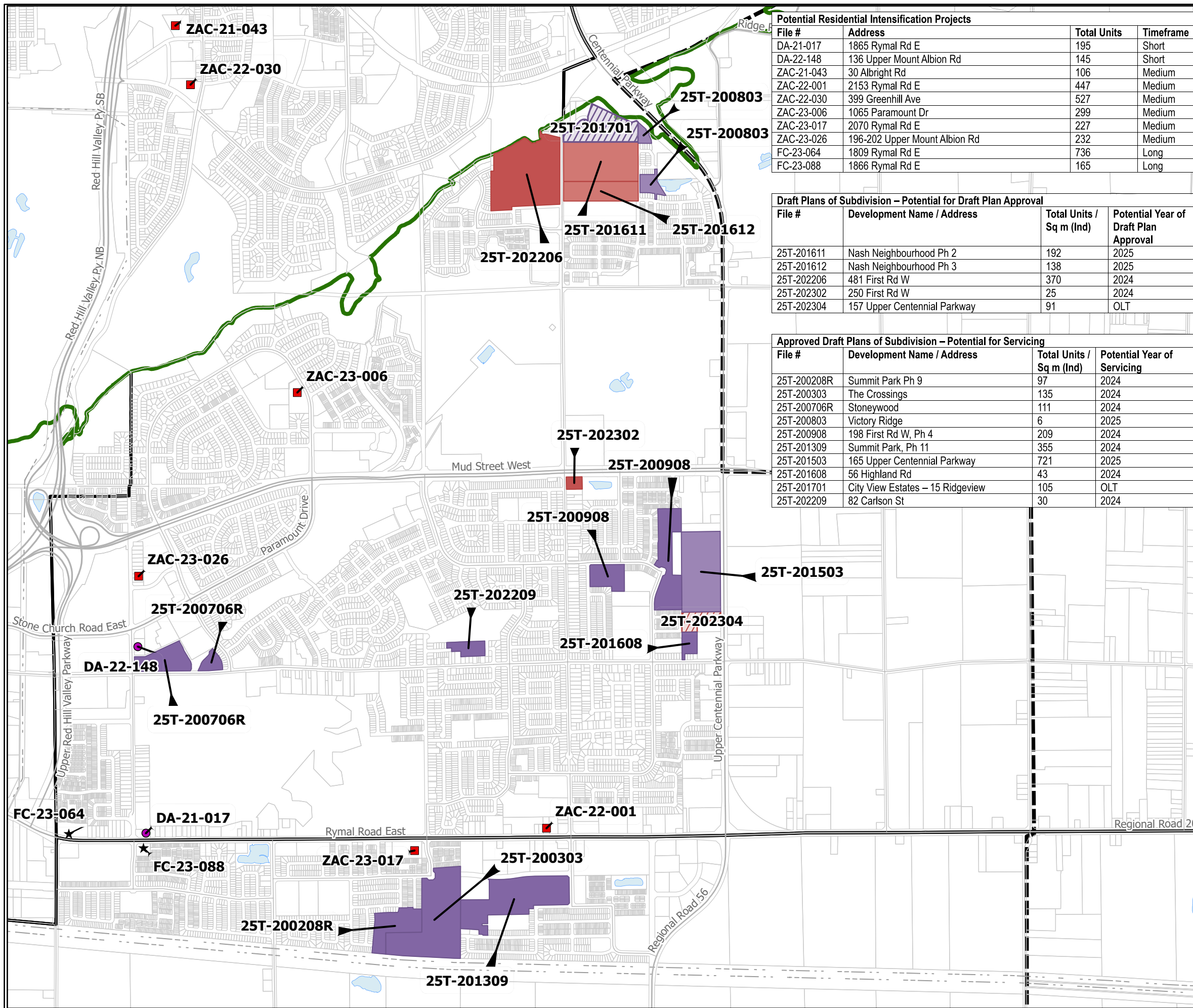
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Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-22-081	1290 South Service Rd	454	Short
DA-22-110	325 Hwy No. 8	148	Short
DA-22-154	526 Winona Rd	1209	Short
DA-23-012	8 Shoreview Pl	933	Short
DA-23-029	2900 King St E	564	Short
DA-23-033	13 King St E	155	Short
SPA-23-049	2782 Barton St E	313	Short
ZAC-21-039	1400 South Service Rd	986	Medium
ZAC-22-013	200 Centennial Parkway N	1150	Medium
ZAC-22-018	651 Queenston Rd	316	Medium
ZAC-22-063	1310 South Service Rd	600	Medium
ZAC-23-023	2481 Barton St E	207	Medium
ZAC-23-031	118 King St W	124	Medium
ZAC-23-034	95-105 Hwy No. 8	368	Medium
FC-21-038	423 North Service Rd	365	Long
FC-22-092	400 Winona Rd	146	Long
FC-22-117	865 Queenston Rd	212	Long
FC-23-042	468 Millen Rd	232	Long
FC-23-059	140 Glen Echo Dr	310	Long
FC-23-071	365 Highway No. 8	176	Long
FC-23-076	347 Centennial Parkway N	684	Long

Draft Plans of Subdivision – Potential for Draft Plan Approval			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Draft Plan Approval
25T-85033R	Vienna Orchards	99	2024
25T-201703	Newport Yacht Club Ph 4-18	38	OLT
25T-202009	262 McNeilly Rd, 1036-1090 Barton St	545	OLT
25T-202208	Escarpment View Towns	147	2024
25T-202305	Eastgate Square Redevelopments	3,957 + 11,367 sq m	2024

Approved Draft Plans of Subdivision – Potential for Servicing			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Servicing
25T-76024	Battleridge Ph 3	157	2026 & beyond
25T-200204	DeSantis Industrial Park	27,150 sq m	2026 & beyond
25T-201901	Barton Estates	12	2024
25T-202109	860 & 864 Barton St	251	2024





Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-21-017	1865 Rymal Rd E	195	Short
DA-22-148	136 Upper Mount Albion Rd	145	Short
ZAC-21-043	30 Albright Rd	106	Medium
ZAC-22-001	2153 Rymal Rd E	447	Medium
ZAC-22-030	399 Greenhill Ave	527	Medium
ZAC-23-006	1065 Paramount Dr	299	Medium
ZAC-23-017	2070 Rymal Rd E	227	Medium
ZAC-23-026	196-202 Upper Mount Albion Rd	232	Medium
FC-23-064	1809 Rymal Rd E	736	Long
FC-23-088	1866 Rymal Rd E	165	Long

Draft Plans of Subdivision – Potential for Draft Plan Approval			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Draft Plan Approval
25T-201611	Nash Neighbourhood Ph 2	192	2025
25T-201612	Nash Neighbourhood Ph 3	138	2025
25T-202206	481 First Rd W	370	2024
25T-202302	250 First Rd W	25	2024
25T-202304	157 Upper Centennial Parkway	91	OLT

Approved Draft Plans of Subdivision – Potential for Servicing			
File #	Development Name / Address	Total Units / Sq m (Ind)	Potential Year of Servicing
25T-200208R	Summit Park Ph 9	97	2024
25T-200303	The Crossings	135	2024
25T-200706R	Stoneywood	111	2024
25T-200803	Victory Ridge	6	2025
25T-200908	198 First Rd W, Ph 4	209	2024
25T-201309	Summit Park, Ph 11	355	2024
25T-201503	165 Upper Centennial Parkway	721	2025
25T-201608	56 Highland Rd	43	2024
25T-201701	City View Estates – 15 Ridgeview	105	OLT
25T-202209	82 Carlson St	30	2024

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## 9 - Stoney Creek Mountain

### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

Date: December 5, 2023

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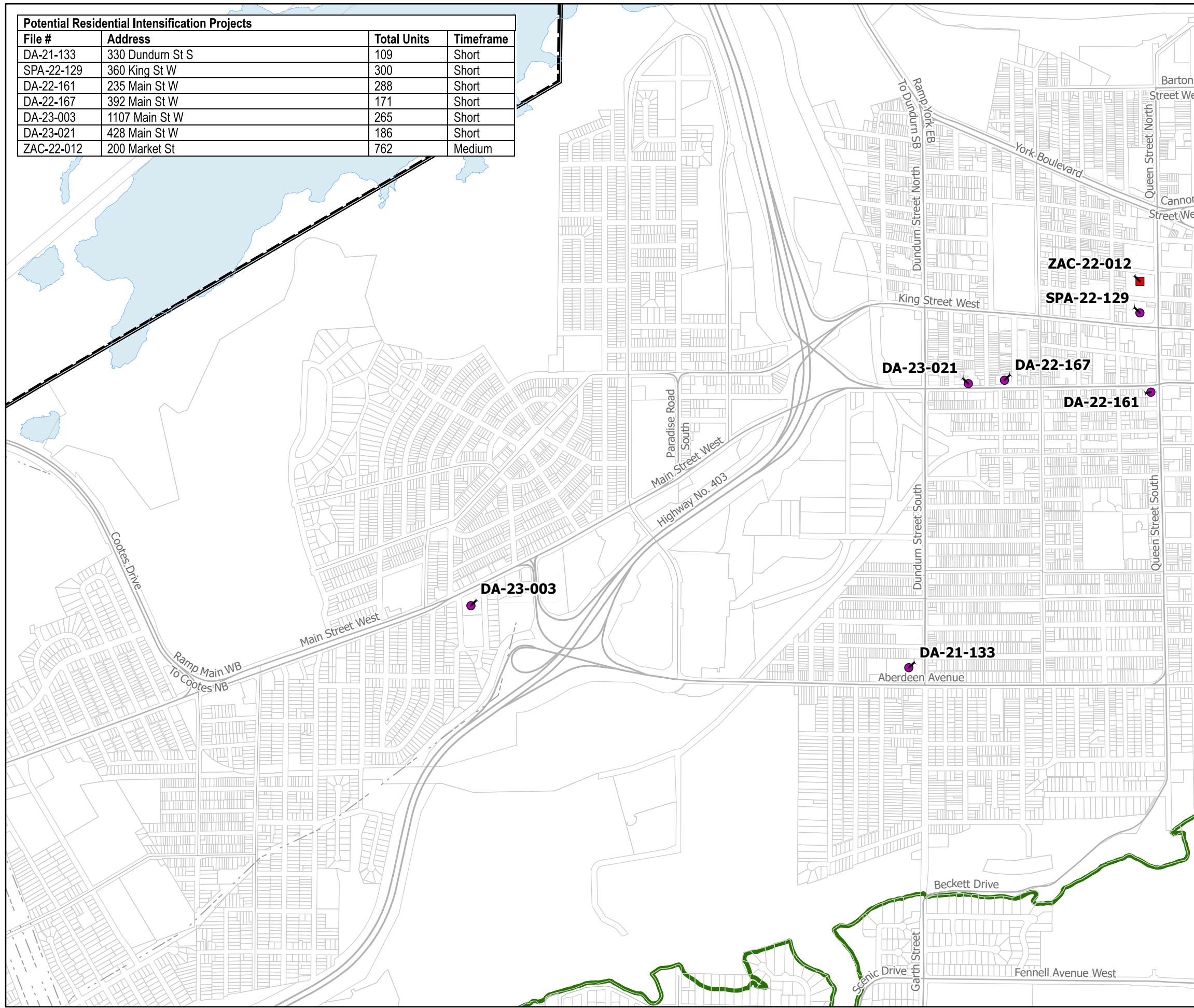
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Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-21-133	330 Dundurn St S	109	Short
SPA-22-129	360 King St W	300	Short
DA-22-161	235 Main St W	288	Short
DA-22-167	392 Main St W	171	Short
DA-23-003	1107 Main St W	265	Short
DA-23-021	428 Main St W	186	Short
ZAC-22-012	200 Market St	762	Medium



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## 10 - Downtown Hamilton West

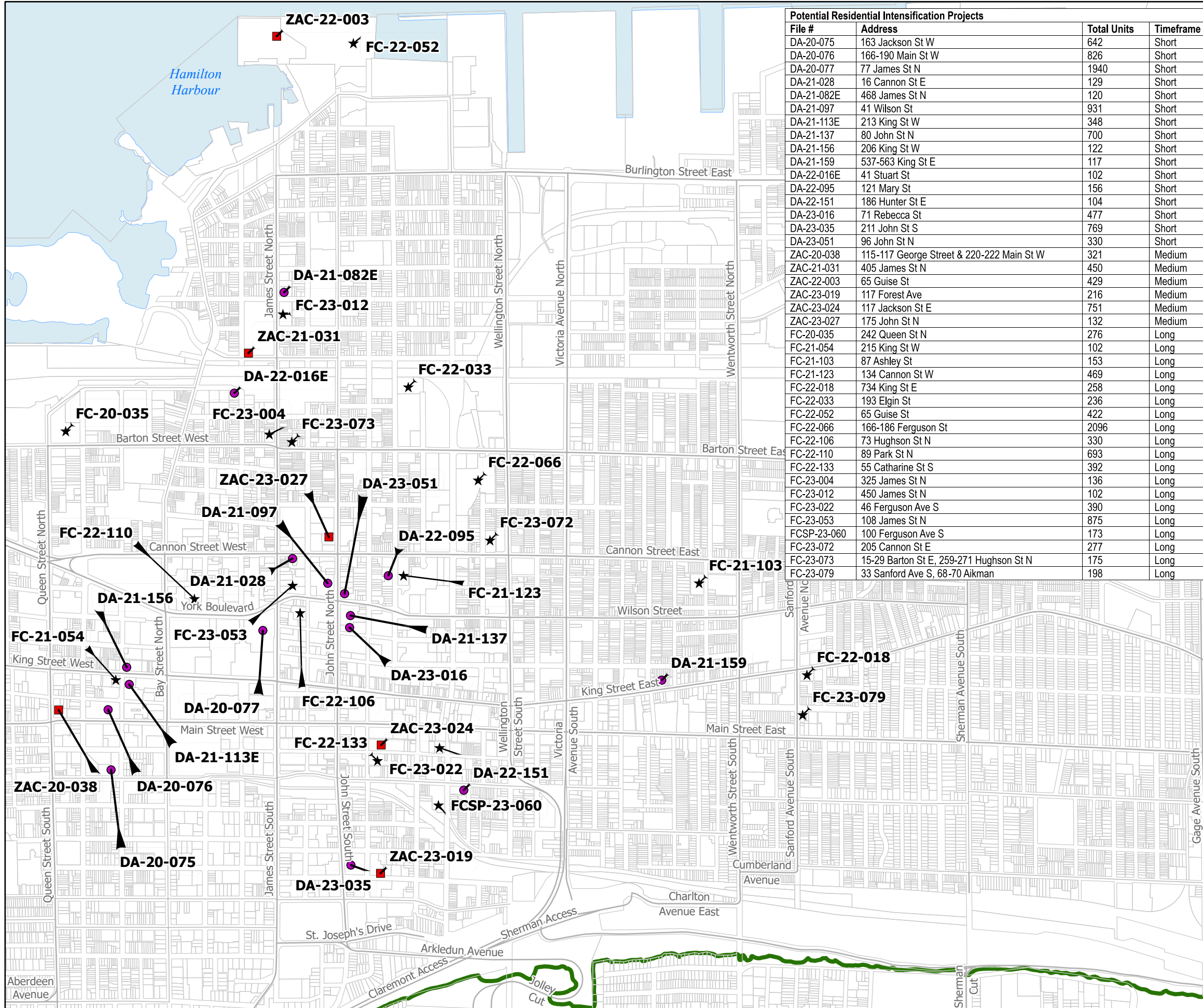
### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

Date: December 5, 2023	

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File #	Address	Total Units	Timeframe
DA-20-075	163 Jackson St W	642	Short
DA-20-076	166-190 Main St W	826	Short
DA-20-077	77 James St N	1940	Short
DA-21-028	16 Cannon St E	129	Short
DA-21-082E	468 James St N	120	Short
DA-21-097	41 Wilson St	931	Short
DA-21-113E	213 King St W	348	Short
DA-21-137	80 John St N	700	Short
DA-21-156	206 King St W	122	Short
DA-21-159	537-563 King St E	117	Short
DA-22-016E	41 Stuart St	102	Short
DA-22-095	121 Mary St	156	Short
DA-22-151	186 Hunter St E	104	Short
DA-23-016	71 Rebecca St	477	Short
DA-23-035	211 John St S	769	Short
DA-23-051	96 John St N	330	Short
ZAC-20-038	115-117 George Street & 220-222 Main St W	321	Medium
ZAC-21-031	405 James St N	450	Medium
ZAC-22-003	65 Guise St	429	Medium
ZAC-23-019	117 Forest Ave	216	Medium
ZAC-23-024	117 Jackson St E	751	Medium
ZAC-23-027	175 John St N	132	Medium
FC-20-035	242 Queen St N	276	Long
FC-21-054	215 King St W	102	Long
FC-21-103	87 Ashley St	153	Long
FC-21-123	134 Cannon St W	469	Long
FC-22-018	734 King St E	258	Long
FC-22-033	193 Elgin St	236	Long
FC-22-052	65 Guise St	422	Long
FC-22-066	166-186 Ferguson St	2096	Long
FC-22-106	73 Hughson St N	330	Long
FC-22-110	89 Park St N	693	Long
FC-22-133	55 Catharine St S	392	Long
FC-23-004	325 James St N	136	Long
FC-23-012	450 James St N	102	Long
FC-23-022	46 Ferguson Ave S	390	Long
FC-23-053	108 James St N	875	Long
FCSP-23-060	100 Ferguson Ave S	173	Long
FC-23-072	205 Cannon St E	277	Long
FC-23-073	15-29 Barton St E, 259-271 Hughson St N	175	Long
FC-23-079	33 Sanford Ave S, 68-70 Aikman	198	Long

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## 11- Downtown Hamilton Central

### Draft Plans of Subdivision and Residential Intensification 2024 - 2026 and beyond

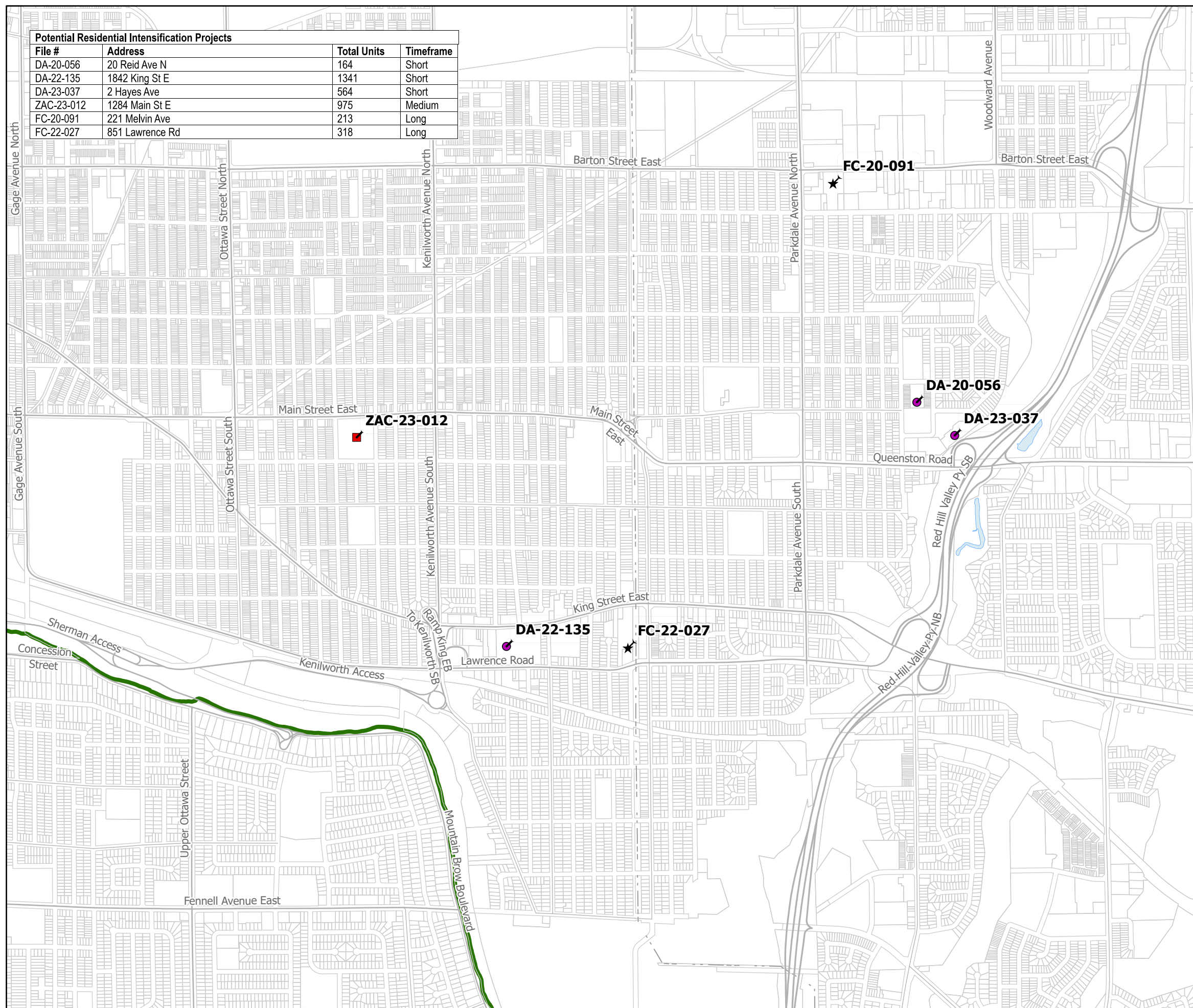
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Potential Residential Intensification Projects			
File #	Address	Total Units	Timeframe
DA-20-056	20 Reid Ave N	164	Short
DA-22-135	1842 King St E	1341	Short
DA-23-037	2 Hayes Ave	564	Short
ZAC-23-012	1284 Main St E	975	Medium
FC-20-091	221 Melvin Ave	213	Long
FC-22-027	851 Lawrence Rd	318	Long



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## 12 - Downtown Hamilton East

### Draft Plans of Subdivisions and Residential Intensification 2024 - 2026 and beyond

Date:  
December 5, 2023

Meters

Hamilton

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**

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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	December 5, 2023
<b>SUBJECT/REPORT NO:</b>	Municipal Protected Areas Project (PED23260) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Lauren Vraets (905) 546-2424 Ext. 2634
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That Planning and Economic Development Department and Public Works Department staff be authorized to provide the required data to Ontario Nature for their review and analysis as part of the Municipal Protected Areas Project, and provide additional support for the project through the data analysis stage as resources allow;
- (b) That the General Manager of Planning and Economic Development, or their designate, be granted the authority to provide consent on behalf of the City of Hamilton to Ontario Nature to release the findings of the Municipal Protected Areas Project to the Ministry of the Environment, Conservation and Parks for submission to the Canadian Protected and Conserved Areas Database, as it relates to the City's properties that were assessed, and to enter into any necessary agreements relating to release of the findings;
- (c) That Planning and Economic Development Department staff, in consultation with Public Works Department staff, be directed to provide a final report at the end of the project to summarize the results for Council.

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

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Municipal Protected Areas Project (PED23260) (City Wide) - Page 2 of 7**

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**EXECUTIVE SUMMARY**

The Municipal Protected Areas Project is being undertaken by Ontario Nature, a non-profit organization, and is intended to canvas municipalities across the province to determine which municipally owned lands may count toward the federal target of protecting at least 30% of land and water in areas with high importance for biodiversity and ecosystem function and services by 2030. As a signatory to the Montreal Pledge – Cities United in Action for Biodiversity (attached as Appendix “A” to Report PED23260) in June 2023, Ontario Nature would like the City of Hamilton to participate in the Municipal Protected Areas Project as a candidate. This initiative compliments the work being undertaken on Hamilton’s Biodiversity Action Plan and has the potential to assist in informing future policy updates to the City’s Official Plans.

At the September 13, 2023 Council meeting, a motion was carried with respect to the City’s involvement with the Municipal Protected Areas Project, and provided the following direction:

- “(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.”

This report responds to the directions provided in the September 13, 2023 motion, and recommends that: Planning and Economic Development Department and Public Works Department staff participate on behalf of the City in the Municipal Protected Areas Project; the City consent to release of the findings of the project to the Provincial and Federal governments; and that a final recommendation report be brought forward at the end of the project to summarize the results for Council.

**Alternatives for Consideration – See Page 7**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Not Applicable

**SUBJECT: Municipal Protected Areas Project (PED23260) (City Wide) - Page 3 of 7**

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**Staffing:** No additional staff resources are required at this time, and the project will be considered as a medium priority for staff time based on other priorities such as the Official Plan revision work plan. If subsequent direction for work programs related to the findings of the initiative occur, or substantive staff time related to the analysis stage are needed, then a staffing assessment will be completed and requests for resources will be made through the budget process.

**Legal:** Data sharing with Ontario Nature will be in accordance with City policies and procedures. Consent to Ontario Nature to release the findings of the Hamilton review to the Provincial and Federal Government will be needed and is addressed in Recommendation b) to Report PED23260.

## **HISTORICAL BACKGROUND**

Ontario Nature (formerly the Federation of Ontario Naturalists) is a registered charitable organization whose mission is to protect wild species and wild spaces through conservation, education and public engagement. The organization has been working with municipalities and the Government of Ontario's Ministry of Environment, Conservation and Parks to assess what lands should be added to the Canadian Protected and Conserved Areas Database. At the 15<sup>th</sup> Conference of Parties on the United Nations Convention on Biological Diversity, the Canadian Government committed to the target of protecting 30% of terrestrial and inland water areas of biological importance by 2030. This target is often referred to as the "30x30 target".

The Municipal Protected Areas Project determines "what counts" towards the federal 30x30 target in terms of publicly owned lands (see Appendix "B" attached to Report PED23260). Ontario Nature has received funding for the initiative from the Greenbelt Foundation and the Government of Canada. The evaluation of lands is required to determine if they can qualify as a Protected Area or "Other Effective Area-based Conservation Measures". A Protected Area would be lands that are specifically owned by a public body with the intent to safeguard biodiversity and ecosystem functions. An "Other Effective Area-based Conservation Measure" may include lands other than a Protected Area that is managed to achieve positive long-term outcomes for conservation.

Evaluation is based on the following criteria:

- Clearly defined boundaries;
- Effective means to control all activities likely to negatively impact biodiversity;
- Protection is long-term, year-round and difficult to reverse; and,
- Managed by governing authorities so that conservation outcomes are achieved.

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**SUBJECT: Municipal Protected Areas Project (PED23260) (City Wide) - Page 4 of 7**

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Since late May 2023, City staff and members of Council have been meeting with Ontario Nature to discuss potential involvement in the Municipal Protected Areas Project. Staff in both the Planning and Economic Development Department and Public Works Department have been involved in the meetings with Ontario Nature. Through these early discussions, Ontario Nature provided an explanation of the intent of the program, and the potential benefits to the City and alignment with other city initiatives like the Biodiversity Action Plan, and the forthcoming review of the City's natural heritage system policies as part of the Municipal Comprehensive Review. Ontario Nature provided a draft work plan (refer to Appendix "C" attached to Report PED23260) for including Hamilton as part of the project.

Through discussions with Ontario Nature, the following objectives have been identified for the Hamilton project:

- Build awareness and support of the initiative among City staff and elected officials;
- Build public awareness and support of protected natural areas and biodiversity;
- Seek and support opportunities for the City to contribute lands to the 30x30 target;
- Explore opportunities to strengthen local policies and procedures for natural land management;
- Meaningfully engagement with indigenous communities to advance indigenous-led conservation and the implementation of the Urban Indigenous Strategy; and,
- Highlight Hamilton as an example of local leadership in biodiversity conservation.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

There is no legislated requirement for the City to participate in the Municipal Protected Areas Project with Ontario Nature. However, the project provides an opportunity to participate in broader federal commitments to protect biodiversity for the long-term. Participation in the project also builds upon the City's commitments as a signatory to the Montreal Pledge and strengthens relationships and partnerships towards protecting the environment.

The work program for the City's Rural and Natural Heritage component of the Municipal Comprehensive Review will be considering policy amendments to the Urban and Rural Hamilton Official Plans with respect to natural area protection. The policy review will consider conformity related amendments to align with provincial land use planning policies, and additional policy amendments for natural heritage protection. As a separate item from the project objectives of the Municipal Protected Areas Project, Ontario Nature has indicated that they can support the City's local policy review and analysis as part of the project. Policy recommendations from Ontario Nature will be



**SUBJECT: Municipal Protected Areas Project (PED23260) (City Wide) - Page 5 of 7**

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considered by staff through the regular consultation review of the natural heritage system policies to ensure recommendations are consistent with provincial policy.

**RELEVANT CONSULTATION**

In addition to members of Council, Public Works Department and Planning and Economic Development Department staff have been involved in consultation with Ontario Nature on this project to date. Meetings regarding the Municipal Protected Areas Project have also involved members of the Hamilton Naturalists' Club as well as staff from the Hamilton Conservation Authority.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION****Feasibility:**

As a participant of the initiative, Hamilton will need to provide property information about City owned lands to Ontario Nature, as well as documentation related to protection and management plans for certain areas. Ontario Nature will review the documentation provided, assess the City's lands based on the above criteria, and report back on the results. Data distribution to Ontario Nature will be in accordance with the City's standard data sharing and management policies.

To initiate the review and analysis of the City of Hamilton owned lands that may qualify through this project, Public Works Department staff from Environmental Services, Parks and Cemeteries will be the lead point of contact. Public Works Department staff will provide the required data to Ontario Nature for the first batch assessment under the Municipal Protected Areas Project. The information to be shared includes:

- GIS data of City owned lands; and,
- Land management information for certain properties, classes of City owned lands, or targeted species-specific programs.

Planning and Economic Development Department staff will provide direction to Ontario Nature regarding the policies of the City's Official Plans, and related land use standards and regulations.

Ontario Nature estimates that there will be a requirement of approximately 14 hours or two days of staff time by up to two staff at the City to undertake this project for Hamilton. Additional staff time will be required to report back on the findings of the project to Council, review and assist with communication about the initiative, and consider how the findings of the project can integrate into existing work plans or inform new City initiatives. It is anticipated that one existing staff in both the Planning and Economic

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Development Department as well as the Public Works Department can feasibly take on the tasks associated with the initial batch assessment of Hamilton's natural lands.

The property data and land management information that Ontario Nature needs is readily available with the City, making it feasible for the City to participate in this project. Any future city-initiated projects resulting from the findings of the Municipal Protected Areas Project will need to be assessed for staff and financial resourcing before seeking appropriate direction from Council.

**Integrated Work Program for Natural Heritage System policy review and the Municipal Protected Areas Project:**

The work that will be undertaken by Ontario Nature will specifically be looking at what City-owned lands can count towards the federal 30x30 target. The findings may also provide assistance to determine broader policy updates that may be needed to the Urban and Rural Hamilton Official Plans. The City is undertaking a conformity review exercise of the Official Plan policies as they relate to the Natural Heritage System. Through this exercise, the City may also consider policies to further protect natural areas and biodiversity.

Planning Division staff will work to integrate the findings of the Municipal Protected Areas Project into appropriate policy revisions by undertaking the following:

- Review initial findings of Ontario Nature's batch assessment and provide advice for revisions, if necessary;
- Consider the final findings of the project when reviewing mapping and policy amendments; and,
- Include Ontario Nature in any stakeholder discussions surrounding future natural heritage policy updates for the Municipal Comprehensive Review.

Consent for Ontario Nature to share Hamilton findings:

Once the batch assessment review of City owned properties is completed, Ontario Nature requires consent from the City of Hamilton to share information on the City's behalf with the Ontario Ministry of the Environment, Conservation and Parks. The Province will then submit the lands that are confirmed to be Protected Areas or "Other Effective Area-based Conservation Measures" to the federal Canadian Protected and Conserved Areas Database. It is this database that collects information from across the country to see how Canada is achieving the 30x30 target. Approval of Recommendation b) of Report PED23260 is required to ensure the consent agreement can be signed on behalf of the City.

**SUBJECT: Municipal Protected Areas Project (PED23260) (City Wide) - Page 7 of 7**

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**ALTERNATIVES FOR CONSIDERATION**

The City could choose not to participate in the Municipal Protected Areas Project, however this alternative is not recommended, as the initiative and its findings could be informative to future updates to city policies and land management programs.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED23260 - Montreal Pledge – Cities United in Action for Biodiversity

Appendix "B" to Report PED23260 - Municipal Protected Areas Project Summary

Appendix "C" to Report PED23260 - Ontario Nature Draft Project Scope for Hamilton

LV/mb

# THE MONTREAL PLEDGE CITIES UNITED IN ACTION FOR BIODIVERSITY



Cities are at the forefront in observing biodiversity loss and being impacted by its effects. As local governments, they are also well placed to take rapid, concrete action to halt this decline.

At the COP-15 conference on biodiversity, taking place in Montréal from December 7 to 19, 2022, the countries of the world will adopt the Post-2020 Global Biodiversity Framework. As this major event approaches, Montréal Mayor and ICLEI Global Ambassador for Local Biodiversity Valérie Plante is calling on cities to continue and accelerate their actions towards protecting biodiversity and ecosystems.

Cities are invited to commit to 15 concrete actions, in coherence with the Post-2020 Global Biodiversity Framework. These actions are also coherent with the CitiesWithNature initiative and the C40 Urban Nature Accelerator.

With this strong commitment, the signatory cities of the Montréal Pledge will demonstrate the leadership and ambition of cities around the world to act swiftly and influence their partners to do the same, in order to reverse the trend and protect our biodiversity.

## REDUCE THREATS TO BIODIVERSITY

- 1 Integrate biodiversity into territorial and regulatory planning
- 2 Restore and rehabilitate ecosystems and their connectivity
- 3 Conserve existing natural environments through protected areas and other effective and equitable measures
- 4 Ensure the conservation and recovery of vulnerable species, both wild and domestic, and effectively manage their interactions with humans
- 5 Control or eradicate invasive alien species to eliminate or reduce their impacts
- 6 Reduce pollution from all sources to levels that do not adversely affect biodiversity, ecosystem functions or human health
- 7 Aim to eliminate plastic waste
- 8 Aim to reduce pesticide use by at least two-thirds
- 9 Contribute to climate change mitigation and adaptation measures through ecosystem-based approaches

## SHARE THE BENEFITS OF BIODIVERSITY

- 10 Aim to ensure that urban agriculture, aquaculture and forestry zones are accessible, sustainably managed and contribute to food security
- 11 Prioritize nature-based solutions to protect against extreme weather events and hazards and to regulate air and water quality
- 12 Increase the amount of green and blue spaces and improve equitable access to them

## SOLUTIONS, GOVERNANCE, MANAGEMENT AND EDUCATION

- 13 Integrate biodiversity into governance frameworks and public policies, and increase financial resources allocated to its conservation and sustainable use.
- 14 Through citizen education and participation, help ensure that people and businesses are encouraged to make responsible choices toward biodiversity and have the resources and knowledge to do so
- 15 Ensure the equitable and effective participation of Indigenous peoples and local communities in decision-making and in the process of knowledge acquisition and transmission

**THE MONTREAL PLEDGE** In order to inspire other cities to follow in taking bold action for biodiversity, Pledge signatory cities will be invited to voluntarily track their progress towards the Pledge commitments on the [CitiesWithNature Action Platform](#), a platform recognized by the [CBD](#) to report on cities' commitments to global biodiversity target.



### **The Municipal Protected Areas Project**

The Municipal Protected Areas Project is a collaborative initiative to advance Canada's commitment, under the UN Convention on Biological Diversity, to protect at least 30 percent of our lands and waters by 2030 – known as the 30 by 30 target. The project focuses on working with municipal governments, watershed agencies, land trusts, environmental organizations and other community partners to encourage contributions to the 30 by 30 target and increase protection for natural areas across southern Canada. Project partners include Ontario Nature, Nature Canada, Alliance of Canadian Land Trusts, BC Nature and Wildlands League.

As development pressures intensify in communities across southern Canada, natural areas that support all life are being lost and degraded. The Municipal Protected Areas Project aims to leverage existing enthusiasm and capacity for local conservation by engaging with community leaders and highlighting the tools and techniques used successfully by other communities to increase protection of existing natural areas.

A key component of the initiative will be eight pilot projects with willing municipalities. With permission, Ontario Nature would like to work with municipal leaders and staff and other community partners in Hamilton to design and deliver one of the pilot projects.

### **Why get involved?**

*Additional Support:* Through the pilot, Ontario Nature will be available to support conservation in your community by reviewing environmental policies and plans, supporting outreach and communications, and conducting an assessment of conservation lands for their potential submission to the 30 by 30 target. We can also share the tools and techniques used successfully by other communities to increase protection of existing natural areas, provide advice and technical expertise (policy, GIS mapping and analysis, communications), and help to build community support.

*Be Recognized as a Leader:* Hamilton is already demonstrating its environmental leadership in many ways, including through its endorsement of the Montreal Pledge and its development of the Biodiversity Action Plan. Involvement in a pilot project will offer opportunities to build on this work and deliver on commitments, including through an assessment of lands that could be added to the 30 by 30 target.

*Assessment of Conservation Lands:* The assessment process is purely voluntary. It represents an opportunity to formally recognize organizational leadership in biodiversity conservation and to reinforce community values such as environmental protection, healthy lifestyles and sustainable land use. It also provides a means of identifying ways to enhance the level of biodiversity protection at specific sites.

An assessment, if desired, would be led by Ontario Nature. We would work with municipal partners to define the scope of the assessment and to compile the information needed (policies, management plans, historical information, spatial data). Ontario Nature would then conduct the assessment, with input from municipal partners and support from the Ontario Ministry of Environment, Conservation and Parks and Environment and Climate Change Canada.

# Municipal Protected Areas Project: Hamilton Pilot

## *Potential Plan of Action (DRAFT)*

**Note:** All plans and proposals outlined in this plan are subject to change based on feedback from partners involved in the project and the evolution of the needs and objectives initiative over time.

## Objectives

1. Confirm participation in the initiative and build awareness and support for the initiative among City of Hamilton staff and elected officials.
2. Build public awareness, pride and support for protected areas and biodiversity conservation in the City of Hamilton (e.g., by highlighting “good news stories”), including broader recognition of the city as a leader in biodiversity conservation.
3. Seek and support opportunities for the City of Hamilton (and relevant partners/other local leaders within the city) to contribute lands to the 30 by 30 target.
4. Explore opportunities to strengthen city policies and procedures around natural land management and biodiversity conservation to produce meaningful positive outcomes for nature.
5. Meaningfully engage with Indigenous communities to advance Indigenous-led conservation and the implementation of Hamilton’s Urban Indigenous Strategy.
6. Hold the City of Hamilton up as an outstanding example of local leadership in biodiversity conservation and celebrate project accomplishments.

## Year 1 (June 2023 to March 2024) – Potential Activities

1. Meetings among representatives of Ontario Nature, the City of Hamilton (staff and elected officials), the Hamilton Naturalists Club, Hamilton Conservation Authority and other interested parties, to discuss the project and identify opportunities for synergy (e.g., pool expertise and resources, undertake joint initiatives, meet shared objectives).
2. Ontario Nature to share relevant resources with partners (e.g., completed best practices guide to municipal protected area policies).
3. Ontario Nature to collaborate with City of Hamilton communications staff to prepare and promote a press release (and short article in ON Nature magazine, if interested), celebrating the city’s endorsement of the Montreal Pledge.
4. Ontario Nature to conduct an initial “easy win” batch assessment of City of Hamilton properties expected to be able to contribute to the national target to protect 30 percent of land and water by 2030 (the 30 by 30 target).
  - Ontario Nature to collaborate with City of Hamilton communications staff to promote and celebrate any sites that successfully count towards the 30 by 30 target.
5. Identify ways that Ontario Nature could support implementation of the 15 actions under the Montreal Pledge.
6. Explore appropriate approaches to engage Indigenous communities, if they are interested, and determine a path forward (potentially in manner that advances implementation of Hamilton’s Urban Indigenous Strategy).
7. Further explore and capitalize upon opportunities to promote and celebrate the City of Hamilton’s commitments to and good work on the conservation of biodiversity.

- E.g., collaborating with communications staff at Environment and Climate Change Canada where opportunities arise from the national project, celebrating the release of the city's Biodiversity Action Plan
8. Explore the interest of McMaster University in having their forest assessed for potential contribution to the 30 by 30 target.
  9. Ontario Nature could provide input on existing and draft municipal policies and management strategies relevant to natural areas management and biodiversity conservation, as deemed appropriate and helpful.
    - E.g., reviewing current City of Hamilton laws, policies and management plans/strategies through the lens of contributing to the 30 by 30 target

### Year 2 (April 2024 to March 2025) – Potential Activities

1. Where interest is expressed, meaningfully engage with Indigenous communities and seek to understand how the project could serve to advance Indigenous-led conservation and implementation of Hamilton's Urban Indigenous Strategy.
2. Ontario Nature and partners continue to collaborate on the promotion of good news stories related to the city's implementation of the Montreal Pledge and participation in this project.
3. Ontario Nature and partners could collaborate (as appropriate) on addressing policy gaps through the lens of contributing to the 30 by 30 and other biodiversity targets.
4. Ontario Nature and partners could collaborate to identify additional properties (possibly but not necessarily owned by the City of Hamilton) that could be assessed and submitted to count towards the 30 by 30 target.

### Year 3 (April 2025 to March 2026) – Potential Activities

1. Create and broadly share a "full picture" case study of the City of Hamilton's contributions to the 30 by 30 target and other biodiversity conservation initiatives. Utilize diverse channels to promote this story (e.g., combination of press releases, blogs and magazine articles, social media, presentations).
2. Ontario Nature and partners could continue to collaborate on assessments and policy updates.





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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	December 5, 2023
<b>SUBJECT/REPORT NO:</b>	Bill 150 - <i>Planning Statute Law Amendment Act, 2023</i> and <i>Official Plan Adjustments Act, 2023</i> (PED23261) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Charlie Toman (905) 546-2424 Ext. 5863
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That Council adopt the submissions and recommendations, as attached in Appendix "A" to Report PED23261, regarding Bill 150 *Planning Statute Law Amendment Act, 2023*;
- (b) That Council confirm that the submission and recommendations, as attached in Appendix "A" to PED23261, are in addition to the City's submissions and recommendations contained in Report PED23252;
- (c) That the Acting Director of Planning and Chief Planner and the City Solicitor be authorized to make the submission on Bill 150, *Planning Statute Law Amendment Act, 2023*, as attached in Appendix "A" to Report PED23261.

### EXECUTIVE SUMMARY

On October 23, 2023, the Ministry of Municipal Affairs and Housing announced its intention to reverse recent official plan decisions for various municipalities through legislation which would include its modifications made to Urban Hamilton Official Plan

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Amendment 167 and Rural Hamilton Official Plan Amendment 34 to, among other things, expand Hamilton's urban boundary.

On November 16, 2023, the Province introduced Bill 150, *Planning Statute Law Amendment Act, 2023* which would enact the *Official Plan Adjustments Act, 2023* which, if passed would:

- Reverse provincial decisions on Urban Hamilton Official Plan Amendment 167 and Rural Hamilton Official Plan Amendment 34 and approve municipally adopted official plans retroactive to the date of provincial approval, which for the City of Hamilton would be November 4, 2022;
- With the exception of three modifications discussed in this report, deem the Provincial modifications to Urban Hamilton Official Plan Amendment 167 and Rural Hamilton Official Plan Amendment 34 as never been made;
- Limit legal action from being pursued against the Province in relation to lands impacted by the reversal as well as the enactment, amendment or repeal of Minister Zoning Orders;
- Requires decisions made under the *Planning Act* after November 4, 2022 (date the Provincial modifications came into effect) to conform with the official plans, as approved or amended by the legislation; and,
- Permit development with a valid building permit to proceed.

The Province is requesting input on the legislation through Environmental Registry of Ontario posting # 019-7885 by December 16, 2023. The Minister of Municipal Affairs and Housing provided a letter to the City, attached as Appendix "B" to Report PED23261, clarifying that the Province is seeking feedback on the legislation together with the feedback requested through the November 2, 2023 letter, attached as Appendix "C" to Report PED23261.

On November 14, 2023, Planning Committee endorsed Report PED23252 which recommended that City Council reconfirm its position on Urban Hamilton Official Plan Amendment 167 and Rural Hamilton Official Plan Amendment 34, as adopted by Council on June 8, 2022 which would result in, among other things, the removal of provincially imposed urban expansion areas. Report PED23252 also identified 26 Ministry of Municipal Affairs and Housing modifications that should be retained as well as recommended provisions to be included in the anticipated legislation related to barring legal proceedings and remedies from municipalities, transitional and Development Charge matters. These recommendations were approved by City Council on November 22, 2023.

If passed, Bill 150 would not conflict with City Council's position on Urban Hamilton Official Plan Amendment 167 and Rural Hamilton Official Plan 34 as adopted on June 8, 2022. However, Staff have reviewed the legislation against Report PED23252 and find

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that it does not clearly implement or address the City's comments respecting legal proceedings and remedies, transitional and Development Charge matters. Staff recommend that the City of Hamilton provide the comments in Appendix "A" to Report PED23261 to the Province which are intended to be reviewed together with the City's comments contained in Report PED23252.

**Alternatives for Consideration – See Page 7**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** Various costs have been incurred as a result of the Provincial decision on Official Plan Amendments 167 and 34 issued in November 2022. Costs include both staff resources spent to review and implement the changes, and consultant costs for further analysis and assistance with subsequent public consultations related to the urban expansion areas. To recover costs associated with the decision, Recommendation (c) to Report PED23252 directed staff to prepare detailed cost estimates and engage with the Province on further discussions to recoup costs.

**Staffing:** There are no staffing implications for this report.

If any urban boundary expansions are not reversed, then there will be staffing implications associated with completing Secondary Planning for expansion areas. Staffing resources needed would vary depending on the extent of an urban boundary expansion and the approach to Secondary Planning. Completing Secondary Plans for all expansion areas and overseeing the implementation of the Secondary Plans would require a dedicated staff team from multiple departments/divisions

**Legal:** Bill 150 was tabled and completed First Reading on November 16, 2023 and debated at Second Reading on November 20, 2023. The total implications of Bill 150 cannot be confirmed at this time as this Bill is subject to change through the legislative process and Legal staff will continue to monitor the status and progression of Bill 150 before the Provincial Legislature.

**HISTORICAL BACKGROUND**

A Municipal Comprehensive Review and update to the City's Growth Related Integrated Development Strategy were initiated concurrently in 2017. The Municipal Comprehensive Review work plan was divided into phases with the first phase focused on bringing the Urban and Rural Hamilton Official Plans into conformity with urban related policies of the Growth Plan for the Greater Golden Horseshoe (Growth Plan), and the Provincial Policy Statement.

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A detailed chronology of reports, announcements and decisions that occurred since 2021 related to the City's long-term growth is provided in Appendix "B" attached to Report PED23261.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Urban Hamilton Official Plan and Rural Hamilton Official Plan were approved by the Ontario Municipal Board and came into effect on March 7, 2012 and August 16, 2013, respectively, except for portions which remain subject to outstanding appeals including the southern portion of the urban boundary. Section 26 of the *Planning Act* requires that municipalities undertake a review of their Official Plan at least every 10 years and make the necessary amendments to ensure that local policies conform, or do not conflict, with current provincial plans, matters of provincial interest and the Provincial Policy Statement.

A Municipal Comprehensive Review is a requirement of the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement, to ensure conformity with the applicable provincial plans and policies. The City's Municipal Comprehensive Review was undertaken as the first phase of the City of Hamilton's Official Plan review and resulted in Official Plan Amendment 167 to the Urban Hamilton Official Plan, and Official Plan Amendment 34 to the Rural Hamilton Official Plan. As previously indicated, these Official Plan Amendments are subject to Provincial review and approval and were approved with modifications on November 4, 2022.

## **RELEVANT CONSULTATION**

Staff from Legal Services were consulted in the drafting of this report, recommendations, and appendices.

### **Previous City Consultation on Municipal Comprehensive Review**

As discussed more extensively in Report PED23252, the City had undertaken extensive public and stakeholder engagement as part of the Municipal Comprehensive Review and Growth Related Integrated Development Strategy workplan to allocate forecasted population and employment growth to 2051 which culminated in the adoption of Official Plan Amendments 167 and 34.

### **Public Submissions Received on November 14, 2023 respecting Report PED23252**

Planning Committee received a total of 688 written submissions and six delegation requests regarding Report PED23252 on November 14, 2023. The majority of the written submissions received called for restoring the no urban boundary expansion growth strategy approved by City Council in June 2022. Submissions were made on

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behalf of landowner groups within the Twenty Road West, White Church Road and Elfrida urban expansion lands asking the City to request that the Province keep these associated lands within the urban boundary to meet Hamilton's future housing needs.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Staff have reviewed the proposed legislation against the City's comments to the Province on the planned reversal of its modifications discussed in Report PED23252.

### **Reversal of Provincial Modifications**

If passed, the legislation would reverse all but three of the 77 Ministry modifications to Urban Hamilton Official Plan Amendment 167 and reverse all 25 modifications to the Rural Hamilton Official Plan. The three modifications proposed by the Province to remain are:

- Section B.3.4.4.11 (Archaeological Assessment Requirements) - to provide additional clarification and correct policy to ensure that all indigenous communities with an interest are notified where a marked or unmarked cemetery or burial place is found. (Modification 18)
- Section C.3.2.4 (Urban Area General Provisions) - to specify that land use compatibility between sensitive land uses, major facilities and major office uses shall be in accordance with City's Employment Area designation general policies. (Modification 26)
- Section E.5.2.7.1 b) (Employment Area General Provisions) - to add value and ensures conformity with new terms and policies in the Growth Plan for major facilities, major retail uses, and major office uses. (Modification 36)

As discussed in Appendix "A" to Report PED23252, staff supported these three modifications remaining. Staff recommend that the City reconfirm its support to retain the additional 23 modifications identified in Appendix "A" to Report PED23252 which were minor and added definitions that provide clarification or contribute to interpretive conformity with Provincial policies. Staff note that if the Province chooses not to preserve these additional modifications it is not anticipated to have a significant impact on the application and implementation of Official Plan policies. The additional modifications could be implemented through future housekeeping amendments to the Official Plans.

### **Effective Date and Inclusion of Transitional Legislation**

The proposed *Official Plan Adjustments Act, 2023* includes clauses that the specific decisions of the Minister made under Section 17(34) of the *Planning Act* are deemed to have never been made, including the Minister's decision on November 4, 2022 with

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respect to Official Plan Amendments 167 and 34 and the effective date of approval of Hamilton's Official Plans would be November 4, 2022. Through Report PED23252, staff had supported November 4, 2022 as being the effective date of the reverted Official Plans.

The proposed legislation also contains provisions that any decision of a municipality or the Ontario Land Tribunal made under the *Planning Act* must conform to the official plan as approved or amended. Staff have found the wording of these provisions to be unclear, making it difficult to determine what is the effect of the proposed legislation on development applications for which a decision has been made both by the City and the Ontario Land Tribunal, are still being processed, or are pending matters before the Ontario Land Tribunal. Staff recommends clarification on how the retroactive effect of the legislation would impact decisions of the municipality or the Ontario Land Tribunal where those decisions, including an implementing zoning by-law or site plan, may not conform with the retroactively in force official plan as approved or amended by the proposed legislation.

Through Report PED23252, staff reviewed all development applications that were in progress at the time of the Ministerial approval of the Official Plans or that have been submitted since that time. Seven applications were identified as being directly impacted by the Provincial modifications which were listed. Since the writing of Report PED23252, the status of two planning applications have changed with:

- Official Plan Amendment Application UHOPA-21-018 and Zoning By-law Amendment Application ZAC-21-039 for lands located at 1400 South Service Road, Stoney Creek, being appealed to the Ontario Land Tribunal for lack of decision. Provincial modifications to Official Plan Amendment 167 included the conversion of the lands from "Employment Area" to "Neighbourhoods" and the applications are to amend the Fruitland-Winona Secondary Plan and Zoning By-law to allow mixed-use, high density uses; and,
- The submission of an Official Plan Amendment Application for a privately initiated Secondary Plan that includes the Twenty Road West lands added to the urban boundary through Provincial modifications. The applicant, a group of landowners, had submitted a Formal Consultation application (FC-23-049) in March 2023.

Staff are unclear on the effect Bill 150 would have on these matters as the proposed legislation does not include transitional policies similar to those recommended by staff in Report PED23252 including that development applications be frozen from municipal processing and exempt from statutory timelines under the *Planning Act*. Staff have requested clarification from the Province and continue to recommend clearer transition policies. Staff recommend that these earlier recommendations be emphasized in the City's submission on Bill 150, specifically referencing the two applications noted above.

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

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Bill 150 - Planning Statute Law Amendment Act, 2023 and Official Plan Adjustments Act, 2023 (PED23261) (City Wide) - Page 7 of 8**

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### **Limitation of Legal Action and Remedies.**

The legislation introduces various clauses intended to limit or bar legal actions from being taken both with respect to the proposed removal of Provincial modifications to Official Plans and to the enactment, amendment or repeal of Minister's Zoning Orders.

As detailed in Report PED23252, the City of Hamilton requested that the implementing legislation include clear language that would bar legal proceedings and remedies being brought against municipalities in relation to the reversal of the Minister's modified official plans.

In particular, Section 4(d) of the *Official Plan Adjustments Act, 2023* provides specific immunity for employees of the Crown and Executive council with respect to representations made in relation to Section 1(1). Staff recommend that "current or former employee, officers of agents of municipalities" be added to Section 4(d) to ensure this immunity is clearly extended to municipalities. Staff also recommend that language be included that would permit municipalities to request compensation from the Province to account for costs incurred in relation to the official plan decision and reversal.

### **Impacts on Development Charges By-laws**

As detailed in Report PED23252, the City of Hamilton requested that the proposed legislation be modified to remove the requirement to phase in Development Charge Rates (Section 5(8) of the *Development Charges Act, 1997*, as amended) for the initial service specific Development Charge By-laws which utilize infrastructure master plans developed based on the reversal of Provincial modifications to the urban boundary.

The legislation does not amend the *Development Charges Act, 1997* and does not address the City's earlier comment. Staff recommend that the need to remove the phase in requirement be emphasized in the City's comments on Bill 150.

### **ALTERNATIVES FOR CONSIDERATION**

Council may direct staff to not submit comments to the Province; however, Staff do not recommend this option as the comments in this report build upon the City's comments sent to the Province through Report PED23252, including reconfirming its position on Urban Hamilton Official Plan Amendment 167 and Rural Hamilton Official Plan Amendment 34, as adopted by Council on June 8, 2022.

**SUBJECT: Bill 150 - *Planning Statute Law Amendment Act, 2023* and *Official Plan Adjustments Act, 2023* (PED23261) (City Wide) - Page 8 of 8**

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to PED23261 – Comment Table on Bill 150, *Planning Statute Law Amendment Act, 2023*

Appendix "B" to PED23261 – November 16, 2023 Letter from the Honourable Paul Calandra Minister of Municipal Affairs and Housing

Appendix "C" to PED23261 – November 2, 2023 Letter from the Honourable Paul Calandra Minister of Municipal Affairs and Housing

CT:sd



## Appendix “A” to Report PED23261

Page 1 of 4

## City of Hamilton Comments on

Bill 150 - *Planning Statute Law Amendment Act, 2023*

Specific Changes:

Summary of Proposed Change	Comments
<b><i>Schedule 1 - Official Plan Adjustments Act, 2023</i></b>	
<p>Section 1 would reverse provincial decisions on Official Plans affecting 12 municipalities, including City of Hamilton Urban Hamilton Official Plan Amendment 167 and Rural Hamilton Official Plan Amendment 34, deeming that, except for modifications 18, 26 and 36, these modifications have never been made.</p>	<p>On November 22, 2023 Hamilton City Council endorsed the recommendation that “Council reconfirm its position on Urban Hamilton Official Plan Amendment 167 and Rural Hamilton Official Plan Amendment 34, as adopted by Council on June 8, 2022”.</p> <p>As detailed in Appendix “A” and “B” to Report PED23252, the City of Hamilton has identified 26 Ministry modifications, including modifications 18, 26 and 36 to Urban Hamilton Official Plan Amendment 167, to be maintained. The City of Hamilton maintains its support for the preservation of all 26 Ministry modifications.</p>
<p>Section 2 identifies new Ministry modifications to municipal Official Plans and Official Plan Amendments.</p>	<p>This section does not identify any modifications to either the Urban or Rural Hamilton Official Plans. As such the City has no comment.</p>
<p>Section 3 provides direction with respect to the effect of approval of the legislation on existing <i>Planning Act</i> and <i>Building Code Act, 1992</i> applications.</p>	<p>Section 3(2), “Conformity with official plan as approved” is unclear with respect to its application and legal effect.</p> <p>While Section 3(2) would appear to require any decisions of a municipality or the Ontario Land Tribunal issued after November 4, 2022 to conform with the retroactively in force official plan amendment, there is no clarity about effect of any decisions already issued between November 4, 2022 and the date the legislation comes into effect. Staff recommends clarification on how the retroactive effect of the legislation would impact decisions of the municipality or the Ontario Land Tribunal where those decisions may not conform with the retroactively in force official plan, as approved or amended by the proposed legislation. The City of Hamilton has prepared detailed recommendations on transitional matters related to</p>

**Appendix “A” to Report PED23261**  
**Page 2 of 4**

Summary of Proposed Change	Comments
	<p>the reversal of the Ministry modifications which is detailed in Report PED23252. These included transition provisions that would pause or freeze the legislative timelines for <i>Planning Act</i> applications received after November 4, 2022, such as timelines that trigger the refund of applications fees and rights of appeal. The proposed legislation does not include transition provisions that would have the same or similar effect. Staff recommend the transition provisions as listed below be included in Bill 150:</p> <ul style="list-style-type: none"> <li>• Any fees required to be refunded under the <i>Planning Act</i> are paused until the implementing legislation is in full force and effect, and further that the applicable refund timeline be extended by no less than 120 days.</li> <li>• Provisions of the <i>Planning Act</i> that provide a right-of-appeal to the Ontario Land Tribunal for the failure of the municipality to make a decision be paused until the implementing legislation is in full force and effect, and further that statutory timelines to make a decision be extended by no less than 120 days.</li> </ul>
<p>Section 4 sets out various limitations on remedies which includes, among other things, that no cause of action arises as a result of this Act or any decisions under Subsection 17 (34) of the <i>Planning Act specifically</i> referred to in Subsection 1.</p>	<p>As detailed in Report PED23252, the City of Hamilton requested that the Ministry of Municipal Affairs and Housing include clear language in the implementing legislation that would bar legal proceedings and remedies being brought against municipalities in relation to the reversal of the Minister’s modified official plans.</p> <p>Staff note that the Bill proposes limitations with respect to legal action and remedies and requests that clarification be provided that these protections extend to municipalities, and that there is clear language in the legislation that reflects that this protection applies to municipalities.</p> <p>In particular, Section 4(d) provides specific immunity for employees of the Crown and Executive council with respect to representations made in relation to Section 1(1). Staff recommend that “current or former employee, officers of agents</p>

**Appendix “A” to Report PED23261  
Page 3 of 4**

Summary of Proposed Change	Comments
	<p>of municipalities” be added to Section 4(d) to ensure this immunity is extended to municipalities.</p> <p>Staff also recommend that language be included that would permit municipalities to request compensation from the Province to account for costs incurred in relation to the official plan decision and reversal.</p>
<b>Schedule 2 – <i>Planning Act</i></b>	
<p>The legislation introduces various limitations on remedies which includes, among other things, that no cause of action arises as a result of this Act or any decisions under Subsection 47 of the <i>Planning Act</i>.</p> <p>In ERO Posting 019-7885, the Province has stated that this amendment is to introduce immunity provisions to help mitigate legal risk related to the making, amendment or revoking of Minister’s Zoning Orders.</p>	<p>The proposed legislation would result in legal proceedings and remedies in relation to Minister’s Zoning Orders being largely barred. Applications for judicial review may still be pursued as clarified under Section 47(23).</p>

**Additional Comments – *Development Charges Act, 1997***

As detailed in Report PED23252, the City of Hamilton requests that the proposed legislation be modified to remove the requirement to phase in Development Charge Rates (Section 5(8) of the Development Charges Act, 1997, as amended) for the initial service specific Development Charge By-laws which utilize infrastructure master plans developed based on the reversal of Provincial modifications to the urban boundary.

As a result of the November 2022 Provincial decision on Official Plan Amendment 167, the City was required to reassess the master plans to be used within the City’s Development Charges Background Study. Due to the extent of the changes to the City’s Urban Boundary, it was not feasible to undergo a full 2051 planning horizon master plan process based on the Provincial changes to the urban boundary. Therefore, the City is moving forward with 2031 planning horizon master plans in its 2024 Development Charges Background Study. However, had the City been able to move forward with the urban boundary adopted by Council in June 2022, then the City would have been able to utilize 2051 planning horizon master plans in the 2024 Development Charges Background Study.

**Appendix “A” to Report PED23261**  
**Page 4 of 4**

The City will need to complete master plans with a 2051 planning horizon using the ultimate urban boundary approved by the Province. Section 5(8) of the Development Charges Act, 1997, as amended, requires that municipalities phase in Development Charges when a new Development Charges by-law is adopted. This required phase-in means that the City is not collecting the amount required to fund the growth portion of infrastructure for the first four years that a Development Charges By-law is in place. Since the City will consider adopting new service specific Development Charges By-laws once the 2051 master plans are complete, the City would not have needed to pass new Development Charges by-laws had the Province not initially expanded the urban boundary.

The City strongly requests the removal of the requirement to phase-in Development Charges for the initial service specific Development Charges by-laws which utilize the 2051 planning horizon master plans.

**Ministry of  
Municipal Affairs  
and Housing**

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Ontario

234-2023-5547

November 16, 2023

Dear Sir, Madam

**Subject: Proposed Legislation to Reverse Previous Decisions on Municipal Official Plans/ Official Plan Amendments**

Further to my letter on November 2, 2023, I am writing to you to advise that on November 16, 2023, the Ontario government introduced legislation that, if passed, would reverse the official plan decisions made in November 2022 and April 2023 affecting the cities of Barrie, Belleville, Guelph, Hamilton, Ottawa and Peterborough, the regional municipalities of Halton, Niagara, Peel, Waterloo and York, and Wellington County.

The proposed legislation would wind back ministerial changes to official plans and official plan amendments, except in circumstances where construction has begun or where doing so would contravene existing provincial legislation and regulations or for public health and safety. This includes winding back changes to urban boundaries while maintaining protections for the Greenbelt.

The proposed *Planning Statute Law Amendment Act, 2023*, if passed, would:

- Enact the Official Plan Adjustments Act, 2023, which would:
  - Reverse decisions affecting 12 municipalities' official plans, issued on November 4, 2022 and April 11, 2023;
  - Approve the municipally-adopted official plans, retroactive to the date of the ministerial approval (November 4, 2022 or April 11, 2023);
  - Require decisions on outstanding applications and appeals to conform with the legislatively-approved official plans and amendments;
  - Modify limited portions of the council-adopted official plans to address potential conflicts with legislation/regulations; and
  - Introduce immunity provisions to help mitigate legal risk for municipalities and the province resulting from this legislation.
- Amend the *Planning Act* to introduce immunity provisions to help mitigate legal risk for municipalities and the province in the making, amending, or revoking of minister's zoning orders.

Additionally, the proposed legislation would amend the *Planning Act* to introduce immunity provisions related to the making, amending or revoking of minister's zoning orders. While no specific changes to MZOs are currently being made, this provision would help mitigate risk should revocations be necessary as the ministry reviews a use it or lose it policy.

### **Request for Feedback**

In my letter of November 2, 2023, I have asked municipalities to provide input by December 7<sup>th</sup>. In addition, the ministry is seeking input on the proposed legislation and potential implementation considerations associated with matters arising from the reversal of the official plan decisions.

Comments can be sent through the Environmental Registry of Ontario or the Regulatory Registry postings or by email to [mmahofficialplans@ontario.ca](mailto:mmahofficialplans@ontario.ca).

More information on the legislative proposal can be found on the Environmental Registry of Ontario and the Regulatory Registry at:

- [Environmental Registry of Ontario: Planning Statute Law Amendment Act, 2023](#)
- [Regulatory Registry: Planning Statute Law Amendment Act, 2023](#)

I look forward to receiving your feedback on this proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Calandra', with a stylized flourish at the end.

Hon. Paul Calandra  
Minister of Municipal Affairs and Housing

**Ministry of  
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and Housing**

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234-2023-5307

November 2, 2023

**Re: Announcement Impacting Provincial Decisions on Municipal Official Plans/  
Official Plan Amendments**

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Dear Sir, Madam:

Since becoming the Minister of Municipal Affairs and Housing, I have made it a priority to review past decisions related to land use planning, including official plans and minister's zoning orders, to ensure that these earlier decisions support our goal of building at least 1.5 million homes in a manner that maintains and reinforces public trust.

In November 2022 and April 2023, the ministry issued decisions on official plans impacting the cities of Barrie, Belleville, Guelph, Hamilton, Ottawa and Peterborough, the regional municipalities of Halton, Niagara, Peel, Waterloo and York, and Wellington County. As a result of my review of these decisions, on October 23, 2023, I announced my intent to introduce legislation as soon as possible that would reverse the province's changes to these plans.

For clarity, the proposed legislation will, if passed, bring into effect the official plans or official plan amendments as adopted by municipal council without provincial modifications, except for any modifications that are necessary to protect matters of public health and safety, or which are required to align with legislation or regulations.

The ministry appreciates that the decisions that were made in November 2022 and April 2023 are currently in effect, and I understand that many municipalities are working to actively implement the decisions. I also appreciate that productive collaboration and coordination between the ministry and your municipality is going to be needed to ensure clarity going forward.

As stated in my announcement on October 23, 2023, we are providing 45 days for municipalities to submit information about the modifications to the official plans that were originally submitted to the Ministry, including:

1. Circumstances or projects where construction has already begun in relation to the official plan or official plan amendment decisions, particularly those projects that are directly reliant on the modifications made to the plan through the ministry's decision; and

2. If there are changes that the municipality would like to see made to the official plan, based on the modifications that the province had previously made, and which you support. Municipal feedback on the original official plan submitted to the province will be important to supporting its implementation.

We are asking mayors of impacted single and lower tier municipalities to submit this feedback, including proposed changes and updates to the official plans/official plan amendments, to ministry staff **by December 7, 2023**. Please submit feedback to the following email address: [MMAHOfficialPlans@Ontario.ca](mailto:MMAHOfficialPlans@Ontario.ca).

To ensure the province receives the necessary feedback within the 45-day window, we will accept changes directly from heads of council of single and lower-tier municipalities, including to official plans that were originally submitted with council endorsements from upper tier municipalities. Heads of council may choose to seek a council endorsement of their proposed changes, but that is not required.

While I intend to introduce legislation prior to the conclusion of the 45-day period, please rest assured that municipal feedback received during the 45-day window, and through consultation on the legislation, will be carefully considered to determine the best approach for moving forward, including if further legislative steps or the use of other provincial tools are required.

We are also interested in receiving information and supporting documentation that outlines related planning costs that may have been incurred by your municipality arising out of the provincial decisions. This information can be submitted to the ministry outside of the 45-day window through municipal staff.

Official plans are an important tool for addressing Ontario's shortage of housing. To that end, as you prepare your feedback, I encourage you to ensure your proposed approach to meet your housing targets is ambitious and reflective of the serious need to get more homes built quickly. In particular, I encourage you to look for opportunities to systematically increase density and align this density with existing and planned transit within your municipality. Getting more homes built faster will help more people in your municipality find a home that meets their needs and budget and help municipalities access funding under Ontario's all-new \$1.2 billion Building Faster Fund.

If your staff have questions or concerns, ministry staff are available to discuss this matter further. Please have municipal staff contact the ministry at the email address above and we will connect you with the relevant staff in my ministry.

Thank you,



Hon. Paul Calandra  
Minister of Municipal Affairs and Housing



# CITY OF HAMILTON MOTION

Planning Committee Date: December 5, 2023

**MOVED BY COUNCILLOR M. FRANCIS .....**

**SECONDED BY COUNCILLOR .....**

## **Taxi Industry Review Request**

WHEREAS, Since the 2007 repeal and replacement of the City of Hamilton Licensing By-law, there have been 23 amendments to Schedule 25 (Taxi Schedule).

WHEREAS, Each amendment to Schedule 25 was the result of ongoing collaborative engagement between City of Hamilton Licensing staff and members of the Taxi industry.

WHEREAS, No thorough review of Schedule 25 has occurred during this time and given the evolution of the taxi industry, a full review of Schedule 25 may be warranted and may also benefit from input from a broader range of stakeholders.

THEREFORE, BE IT RESOLVED:

That the appropriate City of Hamilton Licensing staff be requested to report back to the Planning Committee on the feasibility of reviewing Schedule 25 and whether a review, if deemed appropriate by staff, may benefit from including a broader range of stakeholder.

# CITY OF HAMILTON MOTION

Planning Committee Date: December 5, 2023

**MOVED BY COUNCILLOR M. FRANCIS .....**

**SECONDED BY COUNCILLOR .....**

## **Annual Inactive Plate Rate**

WHEREAS, During the Pandemic, the taxi industry was declared an essential service and continues to be relied upon as trusted community partners who regularly assist Hamilton Police Services, residents with accessible transport needs.

WHEREAS, There are 470 total taxi plates in the city of Hamilton and a recent staff review determined approximately 120 of those plates that are currently inactive.

WHEREAS, During the Pandemic, the City of Hamilton invoked an inactive plate rate (for taxis not on the road) of approximately \$120-dollars.

WHEREAS, the Municipal Act only mandates cost recovery as relates to the cost of bylaw enforcement. Since no inspections are currently undertaken with inactive plates there may be an opportunity to reduce the inactive plate fee back to the pandemic fee structure.

**THEREFORE, BE IT RESOLVED:**

That the appropriate City of Hamilton Licensing Department staff who currently oversee the Schedule 25 report back to Planning Committee respecting the feasibility of restoring an annual inactive plate rate to-approximately \$120-dollars.



# CITY OF HAMILTON MOTION

**Planning Committee Date: December 5, 2023**

**MOVED BY COUNCILLOR C. KROETSCH .....**

**SECONDED BY COUNCILLOR A. WILSON .....**

## **Toys for Tickets Program**

WHEREAS, Some municipalities (Kingston and Orillia) have successfully implemented a holiday season “toys for tickets” program where parking penalties can be paid via toy donations.

WHEREAS, The implementation of such a program has potential public relations benefits for spreading goodwill for deserving community members at a time when they may be in need.

WHEREAS, Providing an alternative payment method for a parking penalty can substitute a negative experience for an uplifting experience.

**THEREFORE, BE IT RESOLVED:**

That staff examine existing “toys for tickets” payment programs in applicable municipalities and report back in Q2 2024 with recommendations with a possible implementation of a similar program in Hamilton in 2024.

# CITY OF HAMILTON MOTION

**Planning Committee Date: December 5, 2023**

**MOVED BY COUNCILLOR E. PAULS .....**

**SECONDED BY COUNCILLOR .....**

**Demolition Control By-law Exemption for Affordable Housing Project at 1540  
Upper Wentworth Avenue**

WHEREAS, Council at its meeting of July 22, 2022 approved Item 5 of the Planning Committee Report 22-011, regarding Report PED22149 to facilitate the development of 126 affordable housing units located at 1540 Upper Wentworth Street.

WHEREAS, Council at its meeting of June 21, 2023, approved Item 7 of the Emergency and Community Services Committee Report 23-008, regarding Report HSC2025(a) Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative Agreement 2023-2025.

WHEREAS, Council as a result of the approval of Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative (HSC22023(a)) authorized and directed the General Manager of the Healthy and Safe Communities Department (“GM”) to execute all ancillary agreements and documents as may be required to deliver the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative programs, with content satisfactory to the GM and in a form satisfactory to the City Solicitor.

WHEREAS, The City as Service Manager permitted the demolition of the 15 existing 15 units through Report HSC22038.

WHEREAS, The tenants of the exiting 15 units tenants have been relocated by Kiwanis and the units are vacant which is creating security concerns and additional security costs to Hamilton East Kiwanis Non-Profit Homes Incorporated.

WHEREAS, Kiwanis has conditional site plan approval and currently working through clearing of conditions with the anticipation of construction on the 126 affordable units will commence in the summer of 2024.

WHEREAS, The expediting of the demolition permit can provide for an expedited construction timeline.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for the 15 townhouse units located at 1540 Upper Wentworth Street, in accordance with By-law 22-101, pursuant to Section 33 of the *Planning Act*, without having to comply with the conditions of section 6 (a) of Demolition Control By-law 22-101.

# CITY OF HAMILTON MOTION

Planning Committee Date: December 5, 2023

MOVED BY COUNCILLOR T. HWANG.....

SECONDED BY COUNCILLOR .....

## Demolition Permit of 340 Weir Street North

WHEREAS, Municipal Law Enforcement has authority under the Property Standards By-law 10-221 to issue orders requiring the owner to carry out the repair or demolition within the time and in the manner specified in the order.

WHEREAS, Municipal Law Enforcement issued a Property Standards order to demolish or repair the building at 340 Weir Street North, in Hamilton Ontario, and the property owner did not comply with the City Order by the required date of April 23, 2023.

WHEREAS, The existing building is vacant, in a state of extreme disrepair, and has been made safe by temporary construction fencing to provide for a safe collapse.

WHEREAS, The cost to demolish has been received, and evaluated by staff.

WHEREAS, The cost to demolish the existing building exceeds the amount that can be approved by the Director of Licensing and By-law Services under section 30(7) of the Property Standards By-law 10-221 and requires Council approval.

WHEREAS, The need to demolish the building expeditiously prevents compliance with the city’s demolition control area By-law which require issuance of a building permit to re-build.

THEREFORE, BE IT RESOLVED:

- (a) That the Director of Licensing and By-law Services be authorized to contract POWER PROPERTY CONTRACTING INC., a onetime approval of \$48,191.00 for the demolition of 340 Weir St N, Hamilton, and that cost be added to the tax roll; and
- (b) That the Chief Building Official be authorized to issue a demolition permit for 340 Weir St N, Hamilton, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with the conditions in Sub-Section 6(a) of Demolition Control Area By-law 22-101.