



# City of Hamilton

## PLANNING COMMITTEE

### AGENDA

**Meeting #:** 25-004  
**Date:** March 18, 2025  
**Time:** 9:30 a.m.  
**Location:** Council Chambers  
Hamilton City Hall  
71 Main Street West

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

	Pages
1. CALL TO ORDER	
2. CEREMONIAL ACTIVITIES	
3. APPROVAL OF AGENDA (Added Items, if applicable, will be noted with *)	
4. DECLARATIONS OF INTEREST	
5. APPROVAL OF MINUTES OF PREVIOUS MEETING	
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7. ITEMS FOR INFORMATION	
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13.	<b>ADJOURNMENT</b>	





## PLANNING COMMITTEE MINUTES PLC 25-003

9:30 a.m.

February 25, 2025

Council Chambers (Hybrid), City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

**Present:** Councillors T. Hwang (Chair), M. Tadeson (Vice-Chair) (virtual), J.P. Danko (2<sup>nd</sup> Vice Chair) (virtual), J. Beattie, C. Cassar, M. Francis, C. Kroetsch, E. Pauls, A. Wilson (virtual), M. Wilson, T. McMeekin

**Absent with Regrets:** Councillor N. Nann - Personal

**Also in Attendance:** Councillor B. Clark

### 1. CALL TO ORDER

Committee Chair T. Hwang called the meeting to order at 9:30 a.m.

### 2. CEREMONIAL ACTIVITIES

There were no ceremonial activities.

### 3. APPROVAL OF AGENDA

**(Beattie/Pauls)**

That the agenda for the February 25, 2025 Planning Committee meeting, be approved, as presented.

**CARRIED**

### 4. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 5. APPROVAL OF MINUTES OF PREVIOUS MEETING

#### 5.1 February 4, 2025

**(Cassar/Tadeson)**

That the minutes of the February 4, 2025 Planning Committee meeting, be adopted.

**CARRIED**

## 6. DELEGATIONS

There were no delegations.

## 7. ITEMS FOR INFORMATION

**(Pauls/Danko)**

That the following items be received:

### 7.1 PED25039

**Appeal of Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications for Lands Located at 2876 Upper James Street, Glanbrook (Ward 11)**

### 7.2 PED25031

**Appeal of Zoning By-law Amendment Application ZAC-24-020 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1494 Upper Wellington Street, Hamilton (Ward 8)**

**CARRIED**

## 8. PUBLIC HEARINGS

In accordance with the *Planning Act*, Chair T. Hwang 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.

If a person or public body would otherwise have an ability to appeal the decision of Council, City of Hamilton to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the by-law is passed, 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.

### 8.1 PED24208(a)

**Modifications and Updates to existing Accessory Dwelling Unit and Accessory Dwelling Unit – Detached Regulations to Implement Ontario Regulation 462/24 – Additional Residential Units (City Wide – Urban Area)**

Emily Coe, Manager of Zoning and Committee of Adjustment, addressed the Committee respecting Modifications and Updates to existing Accessory

Dwelling Unit and Accessory Dwelling Unit – Detached Regulations to Implement Ontario Regulation 462/24 – Additional Residential Units (City Wide – Urban Area), with the aid of a PowerPoint presentation.

**(a) (Cassar/Kroetsch)**

That the staff presentation from Emily Coe, Manager of Zoning and Committee of Adjustment, respecting Modifications and Updates to existing Accessory Dwelling Unit and Accessory Dwelling Unit – Detached Regulations to Implement Ontario Regulation 462/24 – Additional Residential Units (City Wide – Urban Area), be received.

**CARRIED**

**(b) The following Registered Delegation, was withdrawn:**

Registered Delegation:

- (i) Andrew Selman (in-person) - WITHDRAWN

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

**(Cassar/A. Wilson)**

- (c) (i) That there were no public submissions regarding this matter; and,
- (ii) That the public meeting be closed.

**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

**(d) (Cassar/Tadeson)**

That Report PED24208(a), dated February 4, 2025, Modifications and Updates to existing Accessory Dwelling Unit and Accessory Dwelling Unit – Detached Regulations to Implement Ontario Regulation 462/24

– Additional Residential Units (City Wide – Urban Area), be received, and the following recommendations be approved:

- (a) That City Initiative CI-25-B respecting modifications to the Accessory Dwelling Unit and Accessory Dwelling Unit – Detached regulations in City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws applicable to the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, former City of Hamilton, and City of Stoney Creek be approved on the following basis:
  - (i) That the Draft By-laws to amend Zoning By-law No. 05-200, the Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, the Town of Flamborough Zoning By-law No. 90-145-Z, the Township of Glanbrook Zoning By-law No. 464, the City of Hamilton Zoning By-law No. 6593, and the City of Stoney Creek Zoning By-law No. 3692-92, attached as Appendix “A” to Appendix “G” to Report PED24208(a), which have been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning are consistent with the Provincial Planning Statement (2024) and comply with the Urban Hamilton Official Plan.

**Result: Motion CARRIED by a vote of 8 to 2, 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  
 NO – 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  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

## **8.2 PED25048**

**Application for a Zoning By-law Amendment for Lands Located at 475 Powerline Road, Stoney Creek (Ward 9)**

Dhruv Mehta, Planner II, addressed the Committee respecting Application for a Zoning By-law Amendment for Lands Located at 475 Powerline Road, Stoney Creek (Ward 9), with the aid of a PowerPoint presentation.

**(a) (Beattie/Cassar)**

That the staff presentation from Dhruv Mehta, Planner II, respecting Application for a Zoning By-law Amendment for Lands Located at 475 Powerline Road, Stoney Creek (Ward 9), be received.

**CARRIED**

Ritee Haider with Arcadis, addressed the Committee and indicated support for the staff report with the addition of suggested revisions to the Holding Provision conditions.

**(b) (Beattie/Cassar)**

That the presentation from Ritee Haider with Arcadis, be received.

**CARRIED**

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

**(c) (Cassar/Kroetsch)**

(a) That there were no public submissions received regarding this matter; and,

(b) That the public meeting be closed.

**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  
 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

**(d) (Beattie/Tadeson)**

That Report PED25048, dated February 25, 2025, Application for a Zoning By-law Amendment for Lands Located at 475 Powerline Road,

Stoney Creek (Ward 9), be received, and the following recommendations be approved:

- (a) That Amended Zoning By-law Amendment application ZAC-25-003, by Arcadis (c/o Ritee Haider), on behalf of Jaswinder Khaira, Owner, for a change in zoning from the Conservation/Hazard Land Rural (P6) Zone to the Conservation/Hazard Land Rural (P6, 924, H192) Zone, to permit the development of a single detached dwelling on a portion of lands located at 475 Powerline Road, Stoney Creek, as shown on Appendix A attached to Report PED25048, be APPROVED on the following basis:
  - (i) That the draft amending By-law, attached as Appendix B to Report PED25048, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act, R.S.O. 1990* to the subject property by including the Holding symbol 'H' to the Conservation/Hazard Land Rural (P6, 924, H192) Zone.

The Holding Provision 'H192', is to be removed conditional on the following:

- (1) The owner submits and receives approval of an updated Hydrogeological Study to the satisfaction of the Director of Growth Management and Chief Development Engineer; and,
- (2) That the Owner receives approval of an easement for access purposes from Hydro One Network Inc. prior to the proposed residential land use being established on the subject lands, to the satisfaction of the Director of Development Planning
- (iii) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024), conforms to the Greenbelt Plan (2017), and complies with the Rural Hamilton Official Plan.

**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  
 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

### **8.3 PED25053**

**Applications for an Official Plan Amendment and Zoning By-law  
 Amendment for Lands Located at 3530 Upper James Street, Glanbrook  
 (Ward 11)**

**(a) (Kroetsch/Francis)**

That the staff presentation from Michael Fiorino, Planner II, respecting Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 3530 Upper James Street, Glanbrook (Ward 11), be waived.

**CARRIED**

Shannon McKie, with Landwise, addressed the Committee and indicated they were in support of the staff report.

**(b) (Tadeson/Francis)**

That the presentation from Shannon McKie, with Landwise, be received.

**CARRIED**

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

**(c) (Tadeson/McMeekin)**

(a) That there were no public submissions received regarding this matter; and,

(b) That the public meeting be closed.

**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  
 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

**(d) (Tadeson/Beattie)**

That Report PED252053, dated February 25, 2025, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 3530 Upper James Street, Glanbrook (Ward 11), be received, and the following recommendations be approved:

- (a) That Official Plan Amendment Application UHOPA-24-010, by Landwise (c/o Edward John) on behalf of 2784320 Ontario Inc. (c/o Hussein Ghaddar), Owner, to amend the Mount Hope Secondary Plan by redesignating a portion of the subject lands from the “Institutional” designation to the “Low Density Residential 2c” designation and adding “Site Specific Policy – Area X”, to permit the development of nine three storey townhouse blocks, containing a total of 56 units fronting onto a private condominium road with a density range of 26 to 42 units per net hectare, for lands located at 3530 Upper James Street, as shown in Appendix A attached to Report PED25053, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix B to Report PED25053, be adopted by City Council; and,
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Planning Statement (2024).
- (b) That Amended Zoning By-law Amendment Application ZAC-24-032, by Landwise (c/o Edward John) on behalf of 2784320 Ontario Inc. (c/o Hussein Ghaddar), Owner, for a change in zoning from the Deferred Development “DD” Zone to the Residential Multiple - Holding “H-RM3-329” Zone, Modified, to permit the development of nine three storey townhouse blocks, containing a total of 56 units fronting onto a private condominium road, for lands located at 3530 Upper James



Street, as shown on Appendix A attached to Report PED25053, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix C to Report PED25053, 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 Planning Statement (2024);
- (iii) That this amending By-law will comply with the Urban Hamilton Official Plan and the Mount Hope Secondary Plan upon adoption of the Official Plan Amendment; and,
- (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 lands by introducing the Holding “H” symbol as a prefix to the proposed Residential Multiple – Holding “H-RM3-329” Zone, Modified, as shown on Schedule “A” of Appendix C attached to Report PED25053 and shall be lifted conditional upon the following:

That the Owner submit to the Director of Development Engineering for review and approval, a revised Functional Servicing Report, and related drawings to demonstrate:

- (1) That there is adequate capacity in the existing municipal infrastructure system including the pumping station in accordance with City standards to accommodate the proposed wastewater flows to support this development, to the satisfaction of the Director of Development Engineering.
- (2) To enter into and register on title of the lands, an External Works Agreement with the City for the design and construction of any required improvements to the municipal infrastructure at the Owner’s expense, should it be determined that upgrades are required to the infrastructure to support the development, according to the Functional Servicing Report and Watermain

Hydraulic Analysis, to the satisfaction of the  
Director of Development Engineering.

**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  
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

## **9. ITEMS FOR CONSIDERATION**

### **9.1 PED25058 Demolition Permit – 2 McDonalds Lane, Stoney Creek (Ward 10)**

The item as noted on the Agenda has been Withdrawn and will be brought to a future Planning Committee meeting.

### **9.2 PED25059 Demolition Permit – 6 McDonalds Lane, Stoney Creek (Ward 10)**

The item as noted on the Agenda has been Withdrawn and will be brought to a future Planning Committee meeting.

### **9.3 PED25060 Demolition Permit – 822 Barton Street, Stoney Creek (Ward 10)**

The item as noted on the Agenda has been Withdrawn and will be brought to a future Planning Committee meeting.

### **9.4 PED25061 Demolition Permit – 829 Highway No. 8, Stoney Creek (Ward 10)**

The item as noted on the Agenda has been Withdrawn and will be brought to a future Planning Committee meeting.

### **9.5 PED25044**

**Notice of Objection to the Notice of Intention to Designate 21-25 Jones Street, Stoney Creek (The Powerhouse), under Part IV of the *Ontario Heritage Act* (Ward 5)**

**(Francis/Beattie)**

That Report PED25044, dated February 25, 2025, respecting Notice of Objection to the Notice of Intention to Designate 21-25 Jones Street, Stoney Creek (The Powerhouse), under Part IV of the *Ontario Heritage Act* (Ward 5), be received, and the following recommendations be approved:

- (a) That the Notice of Objection to the Notice of Intention to Designate 21-25 Jones Street, Stoney Creek (The Powerhouse), under Part IV of the *Ontario Heritage Act*, attached as Appendix A to Report PED25044, BE RECEIVED;
- (b) That Council NOT WITHDRAW the Notice of Intention to Designate 21-25 Jones Street, Stoney Creek, under Part IV of the *Ontario Heritage Act*; and,
- (c) That the draft By-law to designate 21-25 Jones Street, Stoney Creek (The Powerhouse), under Part IV of the *Ontario Heritage Act*, attached as Appendix B to Report PED25044, which has been prepared in a form satisfactory to the City Solicitor, BE ENACTED by City Council.

**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  
 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

**9.6 PED25045**

**Notice of Objection to the Notice of Intention to Designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church), under Part IV of the *Ontario Heritage Act* (Ward 9)**

**(Beattie/Francis)**

That Report PED25045, dated February 25, 2025, respecting Notice of Objection to the Notice of Intention to Designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church), under Part IV of the *Ontario Heritage Act* (Ward 9), be received, and the following recommendations be approved:

- (a) That the Notice of Objection to the Notice of Intention to Designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church), under Part IV of the *Ontario Heritage Act*, attached as Appendix A to Report PED25045, BE RECEIVED;
- (b) That Council NOT WITHDRAW the Notice of Intention to Designate 2251 Rymal Road East, Stoney Creek, under Part IV of the *Ontario Heritage Act*; and,
- (c) That the draft By-law to designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church), under Part IV of the *Ontario Heritage Act*, attached as Appendix B to Report PED25045, which has been prepared in a form satisfactory to the City Solicitor, BE ENACTED by City Council.

**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  
 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

## **12. PRIVATE & CONFIDENTIAL**

Committee determined that discussion of Item 12.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

### **12.1 Closed Session Minutes – February 4, 2025**

**(Beattie/Pauls)**

That the Closed Session minutes of the February 4, 2025 Planning Committee meeting, be adopted and 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  
 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

**(Cassar/Pauls)**

That Committee move into Closed Session at 11:29 a.m. to discuss Items 12.2, 12.3 and 12.4 pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**CARRIED**

The Committee reconvened in Open Session at 12:45 p.m.

**12.2 LS25005**

**Appeal of Zoning By-law Amendment Application ZAC-23-010 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 299, 307 and 325 Fiddler's Green Road, Ancaster (ZAC-23-010) (Ward 12)**

**(Cassar/Kroetsch)**

- (a) That Report LS25005, dated February 25, 2025, respecting Appeal of Zoning By-law Amendment Application ZAC-23-010 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 299, 307 and 325 Fiddler's Green Road, Ancaster (ZAC-23-010) (Ward 12) be received, and the following recommendations be approved:
  - (i) That the directions to staff in Closed Session respecting Report LS25005 be approved;

- (ii) That closed session recommendations of Confidential Report LS25005 be approved and remain confidential until made public as the City's position before the Tribunal; and,
- (iii) That the balance of Report LS25005 remain confidential.

**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

### **12.3 LS23040(a)**

**Appeal to the Ontario Land Tribunal for lands located at 499 Mohawk Road East, Hamilton, for Lack of Decision on Official Plan Amendment Application (UHOPA-23-001) and Zoning By-law Amendment Application (ZAC-23-001) (Ward 7)**

**(Kroetsch/Cassar)**

- (a) That Report LS23040(a), dated February 25, 2025, respecting Appeal to the Ontario Land Tribunal for lands located at 499 Mohawk Road East, Hamilton, for Lack of Decision on Official Plan Amendment Application (UHOPA-23-001) and Zoning By-law Amendment Application (ZAC-23-001) (Ward 7) be received, and the following recommendations be approved:
  - (i) That the directions to staff in Closed Session respecting Report LS23040(a) be approved;
  - (ii) That closed session recommendations (1), (2), and (3) to Report LS23040(a), be approved and remain confidential until made public as the City's position before the Ontario Land Tribunal; and,
  - (iii) That the balance of Report LS23040(a) remain confidential.

**Result: Motion CARRIED by a vote of 6 to 3, 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  
 NO – Ward 5 Councillor M. Francis  
 NO – Ward 7 Councillor E. Pauls  
 NOT PRESENT – Ward 8 Councillor J.P. Danko  
 NO – 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

#### **12.4 LS25009**

**Appeal to the Ontario Land Tribunal for lands located at 399 Greenhill Avenue for refusal of Official Plan Amendment (UHOPA-22-016) and Zoning By-law Amendment (ZAC-22-030) applications (Ward 5)**

**(Kroetsch/M. Wilson)**

- (a) That Report LS25009, dated February 25, 2025, respecting Appeal to the Ontario Land Tribunal for lands located at 399 Greenhill Avenue for refusal of Official Plan Amendment (UHOPA-22-016) and Zoning By-law Amendment (ZAC-22-030) applications (Ward 5) be received, and the following recommendations be approved:
  - (i) That the directions to staff in Closed Session respecting Report LS25009 be approved;
  - (ii) That closed session recommendations (1), (2), and (3) to Report LS25009, be approved and remain confidential until made public as the City's position before the Ontario Land Tribunal; and,
  - (iii) That the balance of Report LS25009 remain confidential.

**Result: Motion CARRIED by a vote of 7 to 2, 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  
 NO – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 NOT PRESENT – Ward 8 Councillor J.P. Danko  
 NO – 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. ADJOURNMENT**

There being no further business, the Planning Committee adjourned at 12:49 p.m.

Respectfully submitted,

Lisa Kelsey  
Legislative Coordinator  
Office of the City Clerk

Councillor T. Hwang,  
Chair, Planning Committee





## City of Hamilton Report for Information

**To:** Chair and Members  
Planning Committee

**Date:** March 18, 2025

**Report No:** PED25065

**Subject/Title:** Appeal of Draft Plan of Subdivision Application 25T-202102 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 370, 378, 412, and 436 Garner Road East, Ancaster

**Ward(s) Affected:** Ward 12

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### Recommendations

- 1) That Report PED25065 respecting appeal of Draft Plan of Subdivision application for lands located at 370, 378, 412, and 436 Garner Road East, Ancaster **BE RECEIVED** for information.

### Key Facts

- The appeal of the Draft Plan of Subdivision application, filed by AJ Clarke & Associates c/o Stephen Fraser on behalf of First Gulf Real Estate Corporation, was received by the City Clerk's Office on November 1, 2024, 1,379 days after the receipt of the initial application and 29 days after the October 3, 2024, resubmission.
- The proposed Draft Plan of Subdivision consists of a 17 Block industrial subdivision with seven blocks (Blocks 1 to 6 and 13) to be used for future development, one woodlot block (Block 7), two blocks (Blocks 8 and 9) for a stormwater management facility, one easement block (Block 10), two blocks (Blocks 11 and 12) for right-of-way widenings, one additional woodland buffer block (Block 17) and three 0.3 metre reserve blocks (Blocks 14 to 16). Two streets are being proposed, Street 'A' is a north south street connecting Garner Road to the proposed blocks and Street 'B' is an east west street connecting Southcote Road to the proposed blocks, as shown in Appendix D attached to Report PED25065.

**Appeal of Draft Plan of Subdivision Application 25T-202102 to the Ontario Land  
Tribunal for Lack of Decision for Lands Located at 370, 378, 412, and 436 Garner  
Road East, Ancaster  
Page 2 of 6**

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- The subject lands are designated “Airport Employment Growth” and “Open Space” in the Urban Hamilton Official Plan and designated “Airport Prestige Business” and “Natural Open Space” in the Airport Employment Growth District Secondary Plan.
- Blocks 1 to 6 and 8 to 16 are zoned Airport Prestige Business (M11, H37) Zone and Block 7 is zoned Conservation/Hazard Lands (P5) Zone under Hamilton Zoning By-law No. 05-200.

## **Financial Considerations**

Not applicable.

## **Background**

In accordance with Subsection 51(34) of the *Planning Act*, a Draft Plan of Subdivision application may be appealed to the Ontario Land Tribunal after 120 days if Council has not made a decision on the application.

This Information Report has been prepared in accordance with Council’s motion dated May 18, 2010, directing staff to advise the Planning Committee and City Council of appeals for non-decision to the Ontario Land Tribunal.

The subject lands are municipally known as 370, 378, 412, 436 Garner Road East (refer to Appendix A attached to Report PED25065) and are located on the south side of Garner Road East, between Highway 6 and Southcote Road in Ancaster. The property is 48.57 hectares in area with 280.65 metres of frontage along Garner Road East and 584.50 metres of frontage along Southcote Road. The subject lands have no frontage or direct access along Highway 6. The subject lands are currently utilized for agricultural purposes and accompanying residential uses and contain a 7.5 hectare significant woodlot.

The application was originally submitted by A.J. Clarke & Associates c/o Stephen Fraser on December 18, 2020, and deemed complete on January 22, 2021.

The appeal of the application, filed by McMillan LLP c/o Marc Kemerer, on behalf of First Gulf Real Estate Corporation, was received by the City Clerk’s Office on November 1, 2024, 1,379 days after the receipt of the initial application and 29 days after the October 3, 2024, resubmission, included as Appendix B attached to Report PED25065.

## **Proposed Development**

The initial application was received on December 18, 2020, and circulated on January 26, 2021, and is included in Appendix C attached to Report PED25065. The proposal was for an industrial Draft Plan of Subdivision with 11 blocks identified. There were five

**Appeal of Draft Plan of Subdivision Application 25T-202102 to the Ontario Land  
Tribunal for Lack of Decision for Lands Located at 370, 378, 412, and 436 Garner  
Road East, Ancaster  
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blocks proposed to be used for future development, one block for a stormwater management facility, one block for a woodlot, two blocks for right-of-way widenings and two blocks for 0.3 metre reserves. The proposal included a 26 metre wide municipal street (Street 'A').

The second submission was received on July 29, 2022, and circulated on July 29, 2022. The application was amended to respond to staff comments and proposed a 14 block industrial Draft Plan of Subdivision. The amended proposal included six blocks for future development, three blocks for a stormwater management facility, one block for a woodlot, two blocks for right-of-way widenings and two blocks for 0.3 metre reserves, and a 26 metre wide municipal right-of-way (Street 'A'). This submission included additional blocks to accommodate the stormwater management facility and introduced an additional development block.

A third submission was received on January 4, 2024, and circulated on January 8, 2024. The proposal was further amended and proposed a 17 block industrial Draft Plan of Subdivision consisting of six blocks for future development, one block for a woodlot, three blocks for a stormwater management facility, two blocks for right-of-way widenings and three blocks for 0.3 metre reserves. The subdivision would be serviced by two 30 metre wide public streets (Street 'A' and 'B'). This submission responded to staff comments regarding the transportation network and included two 30 metre wide municipal streets.

The fourth submission, which is the proposal before the Ontario Land Tribunal, was received on October 4, 2024, and circulated on October 8, 2024. The concept is similar to the third submission and added a seventh development block and a block for an easement. The proposed 17 block industrial subdivision, which is attached in Appendix D to Report PED25065, consists of seven blocks for future development (Blocks 1 to 6 and 13), one block for a woodlot (Block 7), two blocks for a stormwater management facility (Blocks 8 and 9), one easement block (Block 10), two blocks for right-of-way widenings (Blocks 11 and 12), one additional woodland buffer block (Block 17), and three blocks (Blocks 14 to 16) for 0.3 metre reserves. The subdivision would be serviced by public streets (Street 'A' and 'B'), both 30 metres in width.

## **Analysis**

The subject lands are designated "Airport Employment Growth District" on Schedule E-1 Urban Land Use Designation and "Core Areas" on Schedule B Natural Heritage System. Within the Airport Employment Growth District, the subject lands are designated "Airport Prestige Business," and a portion is designated "Natural Open Space" on Map B.8-1. Map B.8-3 of the Airport Employment Growth District Secondary Plan indicates that a minor collector road is required through the subject lands to connect Southcote Road to Garner Road East.

**Appeal of Draft Plan of Subdivision Application 25T-202102 to the Ontario Land  
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The Airport Employment Growth District is intended to offer a range of employment and employment-related land uses in the context of an eco-industrial park. The “Airport Prestige Business” designation permits uses such as, but not limited to, manufacturing, warehousing, repair service, transportation terminals, office, training facilities, trade schools, outdoor storage and small scale accessory uses that support employees.

The subject lands are zoned Airport Prestige Business (M11, H37) Zone under Zoning By-law No. 05-200. A variety of industrial uses are permitted ranging from a building and lumber supply establishment, office, and warehouse. Holding Provision 37 requires that the lands have access to servicing to provide adequate municipal water, wastewater, and transportation infrastructure in accordance with the Airport Employment Growth District master plans.

Issues identified as a result of the circulation and technical review for the revised proposal in Appendix D to Report PED25065 include, but are not limited to:

- The Draft Plan of Subdivision includes a separate block for the woodlot and buffer which the owner has agreed to dedicate to the City of Hamilton at no cost following discussions with the Ward Councillor. There is a lack of clarification around the details regarding the City’s ownership of the proposed woodlot and buffer and who will be responsible for mitigation and monitoring. Conveyance of this area will not be considered as contributing towards the parkland dedication requirements under *the Planning Act*;
- The City requires confirmation that Block 7 is not considered landlocked. Block 7 abuts Blocks 10 and 17, which are intended to be dedicated to the City for stormwater management purposes;
- The Environmental Impact Statement states that the unevaluated wetland community, headwater drainage features, linkages (hedgerows), and existing vegetation will be removed, which will result in loss of canopy cover, wildlife habitat loss, increasing vulnerability to invasive species, and decreased biodiversity. The application has not demonstrated adequate mitigation measures to address these concerns;
- The Tree Management Plan does not establish the ownership of all boundary trees through a legal survey and the preservation of existing trees has not been taken into consideration as a total of 1,200 trees have been inventoried on the subject property and 816 trees have been proposed to be removed;
- The Landscape Plan focused on the significant woodland vegetation protection zone and stormwater management facility and did not include plantings within the entire development. Amendments to the Landscape Plan are required to address these concerns;
- The Wetland Compensation Planting Plan is not supported by staff as the type of wetland has not been clearly identified within the Environmental Impact Statement and it is unclear if an ecologist was consulted in determining the strategy in the plan;

**Appeal of Draft Plan of Subdivision Application 25T-202102 to the Ontario Land  
Tribunal for Lack of Decision for Lands Located at 370, 378, 412, and 436 Garner  
Road East, Ancaster  
Page 5 of 6**

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- A traffic control signal drawing, photometric plan, pavement marking, and signage drawing has not been submitted to depict the necessary infrastructure improvements required by Transportation Planning;
- The proposed storm water management facility dedication conflicts with the Ministry of Transportation's requirement for a triangular land dedication along Highway 6;
- The Functional Servicing Report does not propose a minimum detention duration that complies with the requirement for no open water storage exceeding periods of 48 hours to be proposed due to wildlife hazard. This was noted through comments provided by the John C. Munro Hamilton International Airport;
- The Functional Servicing and Storm Water Management Report proposes infiltration galleries that do not meet the water quality targets and objectives of the Airport Employment Growth District and surface-based green low impact development infrastructure is required to address them;
- The Functional Servicing and Storm Water Management Report does not include the correct wastewater design calculations consistent with the Airport Employment Growth District master servicing guidelines;
- The design of the proposed bioswale is required to be amended to meet the design standards of the Airport Employment Growth District; and,
- The Preliminary Hydrogeological Investigation Report sites dewatering needs, given that the development is near the edge of the urban boundary and a small number of nearby properties rely on private water servicing. A water well survey has not been submitted to assess the potential impacts.

## **Relationship to Council Strategic Priorities**

- Priority 3: Responsiveness and Transparency
  - 1.2: Prioritize customer service and proactive communication.

## **Consultation**

In accordance with the provisions of the *Planning Act* and the Council Approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation for the applications were sent to 144 property owners within 120 metres of the subject lands on January 22, 2021. An Open House was not held for this proposal.

To date staff have received four submissions from the public who were inquiring whether an Open House was planned to occur or were requesting updates on the progress of the application.

**Appeal of Draft Plan of Subdivision Application 25T-202102 to the Ontario Land  
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**Appendices and Schedules Attached**

Appendix A: Location Map

Appendix B: Letter of Appeal

Appendix C: Original Draft Concept Plan

Appendix D: Draft Plan of Subdivision and Concept Plan

**Prepared by:**

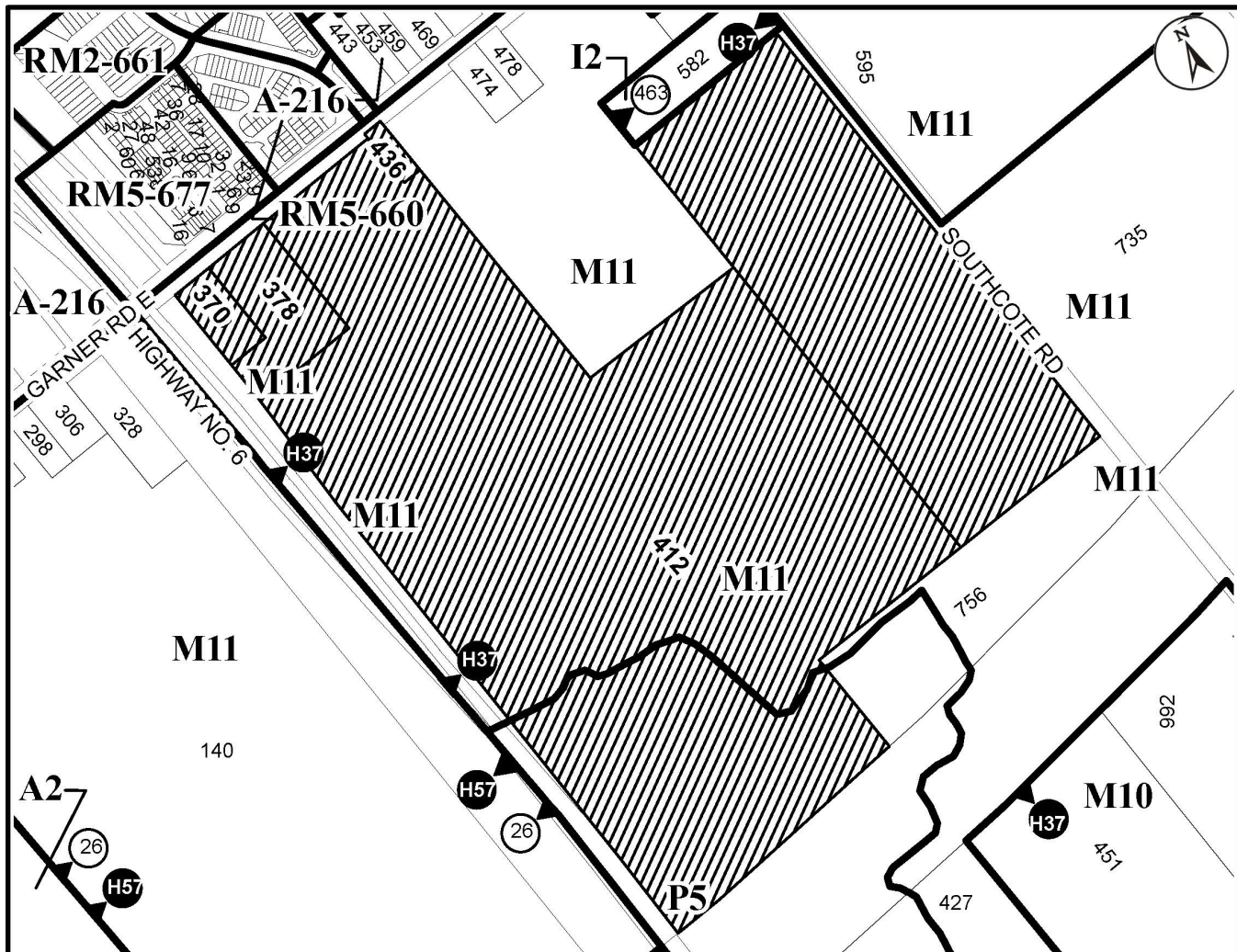
Jennifer Catarino, Area Planning Manager  
Planning and Economic Development Department,  
Development Planning West Team

**Submitted and  
recommended by:**

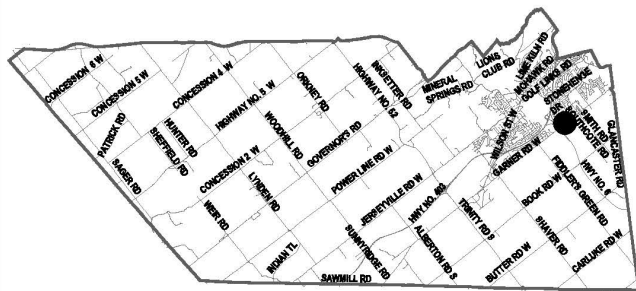
Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development Department

## Appendix A to Report PED25065

Page 1 of 1



● Site Location



Key Map - Ward 12

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
25T-202102Date:  
January 25, 2021

Appendix "A"

Scale:  
N.T.SPlanner/Technician:  
JV/AL

### Subject Property

370, 378, 412 & 436 Garner Road East  
& 47 Southcote Road

Reply to the Attention of Marc Kemerer  
Direct Line 416.865.7222  
Email Address marc.kemerer@mcmillan.ca  
Our File No. 309898  
Date November 1, 2024

**DELIVERED BY E-MAIL AND OVERNIGHT COURIER ([clerk@hamilton.ca](mailto:clerk@hamilton.ca))**

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

**Attention: Matthew Trennum, City Clerk**

Dear Mr. Trennum:

**Re: Notice of Appeal pursuant to subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13 (the “Act”), as amended, regarding an application by First Gulf Corporation for approval of a proposed Draft Plan of Subdivision regarding lands municipally known as 370, 378, 412 and 436 Garner Road East, in the City of Hamilton (the “Lands”) File No. 25T-2021002**

McMillan LLP has been retained to represent First Gulf Corporation (the “Appellant”), the development manager and agent for the owners of the Lands, regarding the proposed development of the Lands for the “Ancaster Hamilton Industrial Park” or the “403/6 Industrial Park”.

#### Context of the Lands

The Lands are legally described as Part of Lots 46 & 47, Concession 4, Geographic Township of Ancaster in the City of Hamilton, and are located on the south side of Garner Road East, between Highway 6 to the east and Southcote Road to the west. They have an approximate area of 48.57 metres with approximately 280.65 metres of frontage alongside Garner Road East and 584.50 metres on Southcote Road. The Lands abut Highway 6, however this is not considered frontage as direct access to Highway 6 is not permitted. The Lands consist of five vacant agricultural and residential properties.

The Lands are designated “Employment Areas” under the Urban Hamilton Official Plan and dual-zoned as “Airport Prestige Business Holdings (M11:H37) Zone” and “Conservation/Hazard Land (P5) Zone” under the City of Hamilton Zoning By-Law 05-200. These designations permit the industrial development of the Lands.



The lands to the north of Garner Road East consist of low density residential uses, and commercial uses including a gas station and a restaurant. The lands to the south of the Lands consist of existing agricultural uses, single detached dwellings, as well as a hydro easement. The lands to the east include additional commercial and agricultural uses.

### Proposed Development & History of Application

The Appellant proposes to develop the Lands as a multiblock industrial subdivision, comprised of industrial buildings, retention of the existing woodlot with a 15 metre woodlot setback, additional woodlot buffer, sanitary easement block, and a stormwater management pond. As part of the proposed development, two new streets will be provided with a 30 metre right of way, which was widened at the request of the City. This development will result in a high-quality industrial park with premium, long-term tenants, bringing quality employment to the City as envisioned by the City's Airport Employment Growth District Secondary Plan.

On December 18, 2020, the Appellant, through the land use planning firm of A.J. Clarke and Associates Ltd., submitted an application for approval of a Draft Plan of Subdivision. The application was deemed complete on January 22, 2021. Based on comments received on this initial submission, the Appellant amended its proposal and made its second submission in July of 2022. Similarly, to address further comments received from the City and other stakeholders, the Appellant provided the City with a third submission on December 22, 2023, and a further fourth submission on October 3, 2024.

As further described in the Appellant's letter to the City dated October 3, 2024 (copy attached), concurrently with the City's review and the Appellant's resubmissions, the Appellant and its consultant team have made continuous efforts to engage with, and respond to, City staff on this subdivision approval process. This includes meeting (in-person and virtually) on several occasions with various City Divisions including Development Engineering, Natural Heritage Planning, and Forestry & Horticultural Section, and Transportation Planning. The Appellant has also had opportunity to discuss the application with the Ministry of Transportation Ontario and Hamilton Conservation Authority.

Despite the Appellant's extensive engagement with City staff, this process of submission and resubmission has been subject to a lack of transparency on the part of, and very contradictory messaging from, staff. Moreover, no formal direction from City Transportation staff has been provided in 2 years, notwithstanding a meeting arranged by the Appellant. This lack of clear, consistent, direction has placed the Appellant in a position where it is difficult, if not impossible to move forward with the project.

### Appeal

As City Council has failed to make a decision on the application within 120-days of receipt of the complete application we hereby appeal, on behalf of the Appellant, that failure to make a decision pursuant to subsection 51(34) of the Act

In support of this appeal, we enclose the following:

1. One (1) certified cheque in the amount of \$1,100.00 made payable to the Minister of Finance, representing the fee for the appeal;
2. A copy of the Appellant Form (A1) for the appeal;
3. A copy of the cover letter for the filing of the Draft Plan of Subdivision, from A.J. Clarke and Associates Ltd. on behalf of First Gulf Corporation., dated December 18, 2020; and,
4. A copy of the City of Hamilton's letter dated January 22, 2021 confirming that First Gulf Corporation's application for draft plan approval constitutes a complete application.
5. A copy of the fourth submission cover letter from First Gulf Corporation, dated October 3, 2024.

It remains our client's hope that this matter can be resolved without a contested OLT hearing. We remain willing to discuss resolution of all issues with the City.

Should you require any additional information or clarification with respect to this appeal, please do not hesitate to contact me or my co-counsel, Kailey Sutton (416-945-8008, [kailey.sutton@mcmillan.ca](mailto:kailey.sutton@mcmillan.ca)).

Thank you for your attention to this matter.

Yours truly,

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a horizontal line and a short diagonal stroke.

Marc Kemerer

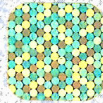
Encls.

Cc: Andrew Sgro, First Gulf Corporation.  
Stephen Fraser, A.J. Clarke and Associates Ltd.  
Anita Fabac, City of Hamilton, Director of Planning ([anita.fabac@hamilton.ca](mailto:anita.fabac@hamilton.ca))  
Patrick MacDonald, City Legal ([patrick.macdonald@hamilton.ca](mailto:patrick.macdonald@hamilton.ca))

Invoice Date	Invoice Number	Comments	Amount
10/25/2024	184783	RE: 309898	1,100.00
Payee: Minister of Finance			Total: \$1,100.00

Royal Bank of Canada  
200 Bay Street  
Toronto, ON M5J 2J5  
Canada

McMillan LLP



No: 28539

DATE 10/28/2024  
mm dd yyyy

PAY EXACTLY \*\*\* One Thousand One Hundred and 00/100 CAD

\$ 1,100.00

TO THE ORDER OF ADDRESS Minister of Finance  
Minister of Finance - Ministry of Justice  
P.O Box 9280 STN PROV GOVT  
Victoria, BC -V8W 9J7

PER

PER

AUTHORIZED SIGNATURES



## Ontario Land Tribunal

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

# Appeal Form (A1)

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

You may be able to submit your appeal online using our new e-file service if:

- the approval authority you are submitting your appeal to is registered on e-file; or
- you are appealing directly to the Ontario Land Tribunal

Please visit our [e-file page](#) to learn more.

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

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

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

### Section 1 – Contact Information (Mandatory)

#### Applicant/Appellant/Objector/Claimant Information

Last Name:		First Name:	
Sgro		Andrew	
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):			
First Gulf Corporation			
Email Address:			
<a href="mailto:asgro@firstgulf.com">asgro@firstgulf.com</a>			
Daytime Telephone Number:		Alternative Telephone Number:	
416.773.7140	ext.		
Mailing Address			
Unit Number:	Street Number:	Street Name:	P.O. Box:
13	351	King Street East	
City/Town:	Province:	Country:	Postal Code:
Toronto	Ontario	Canada	M5A 0L6

Representative Information				
<input checked="" type="checkbox"/> I hereby authorize the named company and/or individual(s) to represent me				
Last Name:			First Name:	
Kemerer			Marc	
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):				
McMillan LLP				
Email Address:				
<a href="mailto:Marc.kemerer@mcmillan.ca">Marc.kemerer@mcmillan.ca</a>				
Daytime Telephone Number:			Alternative Telephone Number:	
416-865-7222	ext.			
Mailing Address				
Unit Number:	Street Number:	Street Name:		P.O. Box:
4400	181	Bay Street		
City/Town:	Province:	Country:	Postal Code:	
Toronto	Ontario	Canada	M5J 2T3	
<p><b>Note:</b> If your representative is not licensed under the <i>Law Society Act</i>, please confirm that they have your written authorization, as required by the <i>OLT Rules of Practice and Procedure</i>, to act on your behalf and that they are also exempt under the Law Society's by-laws to provide legal services. Please confirm this by checking the box below.</p>				
<p><input type="checkbox"/> I certify that I understand that my representative is not licensed under the <i>Law Society Act</i> and I have provided my written authorization to my representative to act on my behalf with respect to this matter. I understand that my representative may be asked to produce this authorization at any time along with confirmation of their exemption under the Law Society's by-laws to provide legal services.</p>				

Location Information	
Are you the current owner of the subject property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Address and/or Legal Description of property subject to the appeal:	
370, 378, 412 and 436 Garner Road East	
Municipality:	
City of Hamilton	
Upper Tier (Example: county, district, region):	

Language Requirements		
Do you require services in French? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> <b>No</b>		

To file an appeal, please complete the section below. Complete one line for each appeal type			
Subject of Appeal		Type of Appeal (Act/Legislation Name)	Reference (Section Number)
Example	Minor Variance	<i>Planning Act</i>	45(12)
1	<b>Subdivision Appeal</b>	<b><i>Planning Act</i></b>	<b>51(34)</b>
2			
3			
4			
5			

## Section 2 – Appeal Type (Mandatory)

Please select the applicable type of matter		
Select	Legislation associated with your matter	Complete Only the Section(s) Below
<input checked="" type="checkbox"/>	<b>Appeal of <i>Planning Act</i> matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances</b>	<b>3A</b>
<input type="checkbox"/>	Appeal of <i>Development Charges Act</i> , <i>Education Act</i> , <i>Aggregate Resources Act</i> , <i>Municipal Act</i> matters	3A
<input type="checkbox"/>	Appeal of or objection to <i>Ontario Heritage Act</i> matters under subsections 29, 30.1, 31, 32, 33, 40.1 and 41	3A
<input type="checkbox"/>	Appeal of <i>Planning Act</i> (subsections 33(4), 33(10), 33(15), 36(3)), <i>Municipal Act</i> (subsection 223(4)), <i>City of Toronto Act</i> (subsection 129(4)) and <i>Ontario Heritage Act</i> (subsections 34.1(1), 42(6)) matters	3A & 3B
<input type="checkbox"/>	Appeal of <i>Clean Water Act</i> , <i>Environmental Protection Act</i> , <i>Nutrient Management Act</i> , <i>Ontario Water Resources Act</i> , <i>Pesticides Act</i> , <i>Resource Recovery and Circular Economy Act</i> , <i>Safe Drinking Water Act</i> , <i>Toxics Reduction Act</i> , and <i>Waste Diversion Transition Act</i> matters	4A
<input type="checkbox"/>	Application for Leave to Appeal under the <i>Environmental Bill of Rights, 1993</i>	4B
<input type="checkbox"/>	Appeal under the <i>Niagara Escarpment Planning and Development Act (NEPDA)</i>	5

<input type="checkbox"/>	Appeal of <i>Conservation Authorities Act, Mining Act, Lakes and Rivers Improvement Act, Assessment Act, and Oil, Gas and Salt Resources Act</i> matters	6
<input type="checkbox"/>	Legislation not listed above	Contact OLT before filing your appeal

**Section 3A – Planning Matters****Appeal Reasons and Specific Information**

Number of new residential units proposed:

**0**

Municipal Reference Number(s):

**25T-2021002**

List the reasons for your appeal:

**Please see attached correspondence of Marc Kemerer, McMillan LLP, dated November 1, 2024.**Has a public meeting been held by the municipality? ☐ Yes ☒ **No**

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

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

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

**And**

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

- ☐ Consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*
- ☐ Conformity with a provincial plan

☐ Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan

If it is your intention to argue one or more of the above grounds, please explain your reasons:

#### Oral/Written Submissions to Council

Did you make your opinions regarding this matter known to council?

☐ Oral submissions at a public meeting of council

☐ Written submissions to council

☒ **Not applicable**

#### Related Matters

Are there other appeals not yet filed with the Municipality?

☐ Yes ☒ **No**

Are there other matters related to this appeal? (For example: A consent application connected to a variance application).

☐ Yes ☒ **No**

If yes, please provide the Ontario Land Tribunal Case Number(s) and/or Municipal File Number(s) for the related matters:

#### Section 3B – Other Planning Matters

#### Appeal Specific Information (Continued)

Date application submitted to municipality if known (yyyy/mm/dd):

**2020/12/18**

Date municipality deemed the application complete if known (yyyy/mm/dd):

**2021/01/22**

Please briefly explain the proposal and describe the lands under appeal:

**Please see attached correspondence of Marc Kemerer, McMillan LLP, dated November 1, 2024.**

There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the Section 3B Checklist(s) located here and submit all documents listed.



## Section 4A – Appeals under Environmental Legislation

### Appeal Specific Information

Outline the grounds for the appeal and the relief requested:

Reference Number of the decision under appeal:

Portions of the decision in dispute:

Date of receipt of Decision or Director's Order (yyyy/mm/dd):

Applying for Stay? ☐ Yes ☐ No

If Yes, outline the reasons for requesting a stay:

There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the [Section 4A Checklist\(s\)](#) located [here](#) and submit all documents listed on the checklist.

## Section 4B – Environmental Application for Leave to Appeal

Are you filing an Application for Leave to Appeal under the *Environmental Bill of Rights, 1993*?

☐ Yes ☐ No

Identify the portions of the instrument you are seeking to appeal:
Identify the grounds you are relying on for leave to appeal. Your grounds should include reasons why there is good reason to believe that no reasonable person, having regard to the relevant law and to any government policies developed to guide decisions of that kind could have made the decision; and why the decision could result in significant harm to the environment:
Outline the relief requested:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <u>Section 4B Checklist(s)</u> located <u>here</u> and submit all documents listed on the checklist.

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

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

**Section 6 – Mining Claim and Conservation Matters****Appeal Specific Information**

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

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

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

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

**Respondent Information**

Conservation Authority:

Contact Person:

Email Address:

Daytime Telephone Number:

Alternative Telephone Number:

ext.

Mailing Address or statement of last known address/general area they were living and name of local newspaper if address is not available

Unit Number:

Street Number:

Street Name:

P.O. Box:

City/Town:		Province:		Country:		Postal Code:	
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <a href="#">Section 6 Checklist(s)</a> located <a href="#">here</a> and submit all documents listed on the checklist.							
<b>Section 7 – Filing Fee</b>							
<b>Required Fee</b>							
Please see the attached link to view the <a href="#">OLT Fee Chart</a> .							
<b>Total Fee Submitted: \$1,100.00</b>							
Payment Method	<input type="checkbox"/>	Certified Cheque	<input type="checkbox"/>	Money Order	<input checked="" type="checkbox"/>	<b>Lawyer's general or trust account cheque</b>	
	<input type="checkbox"/>	Credit Card					
If you wish to pay the appeal fee(s) by credit card, please check the box above and OLT staff will contact you by telephone to complete the payment process upon receipt of the appeal form. <b>DO NOT INCLUDE YOUR CREDIT CARD INFORMATION ON THIS FORM. YOU WILL BE CONTACTED TO COMPLETE YOUR PAYMENT OVER THE PHONE.</b>							
If a request for a fee reduction is being requested, please pay the minimum filing fee for each appeal and complete/submit the <a href="#">Fee Reduction request form</a> .							
<input type="checkbox"/> Request for Fee Reduction form is attached (if applicable – see Appeal Form Guide for more information)							
<b>Section 8 – Declaration (Mandatory)</b>							
<b>Declaration</b>							
I solemnly declare that all the statements and the information provided, as well as any supporting documents, are true, correct and complete.							
By signing this appeal form below, I consent to the collection of my personal information.							
<b>Name of Appellant/Representative</b>		<b>Signature of Appellant/Representative</b>			<b>Date (yyyy/mm/dd)</b>		
<b>Marc Kemerer</b>					<b>2024/11/01</b>		
Personal information or documentation requested on this form is collected under the authority of the <i>Ontario Land Tribunal Act</i> and the legislation under which the proceeding is commenced. All information collected is included in the Ontario Land Tribunal (OLT) case file and the public record in this proceeding. In accordance with the <i>Freedom of Information and Protection of Privacy Act</i> and section 9 of the <i>Statutory Powers Procedure Act</i> , all information collected is available to the public subject to limited exceptions.							

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

## Section 9 – Filing Checklists (Mandatory)

### Filing/Submitting your form and documentation

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

If the completed Section is:	Refer to the relevant checklist and submit all documents listed on the checklist when filing your Appeal Form.
Section 3B	Review the Section 3B Checklist(s) and attach all listed documents.
Section 4A	Review the Section 4A Checklist(s) and attach all listed documents.
Section 4B	Review the Section 4B Checklist(s) and attach all listed documents.

If the completed Section is:	You must file with the following:	
Section 3A	<p>Municipality or the Approval Authority/School Board</p> <p>*If you are filing under the <i>Ontario Heritage Act</i>, including under <b>s. 34.1(1)</b>, please carefully review the specific section of that legislation to determine if your appeal needs to be filed with the Tribunal <b>in addition</b> to the Municipality or Approval Authority.</p>	
Section 3A & 3B or Section 4A or Section 4B or Section 6	<p>Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, ON M5G 1E5</p>	<p>Phone: 416-212-6349   1-866-448-2248 Website: <a href="http://www.olt.gov.on.ca">www.olt.gov.on.ca</a></p>
Section 5	<p><b>For the Areas of:</b> Dufferin County (Mono) Region of Halton Region of Peel Region of Niagara City of Hamilton</p> <p><b>File with:</b> NIAGARA ESCARPMENT COMMISSION 232 Guelph Street, 3<sup>rd</sup> Floor Georgetown, ON L7G 4B1</p>	<p><b>For the Areas of:</b> Bruce County Grey County Simcoe County Dufferin County (Mulmur, Melancthon)</p> <p><b>File with:</b> NIAGARA ESCARPMENT COMMISSION 1450 7<sup>th</sup> Avenue Owen Sound, ON N4K 2Z1 Phone: 519-371-1001</p>

	Phone: 905-877-5191 Fax: 905-873-7452 Website: <a href="http://www.escarpment.org">www.escarpment.org</a> Email: <a href="mailto:necgeorgetown@ontario.ca">necgeorgetown@ontario.ca</a>	Fax: 519-371-1009 Website: <a href="http://www.escarpment.org">www.escarpment.org</a> Email: <a href="mailto:necowensound@ontario.ca">necowensound@ontario.ca</a>
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**NOTE:** Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal).

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

# Tab 1



*A. J. Clarke and Associates Ltd.*  
SURVEYORS • PLANNERS • ENGINEERS

The City of Hamilton  
Planning and Economic Development Department  
Development Planning  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, Ontario L8P 4Y5

December 18, 2020

Delivered via e-mail: [yvette.rybensky@hamilton.ca](mailto:yvette.rybensky@hamilton.ca)

Attn: Ms. Yvette Rybensky, MCIP, RPP  
Senior Project Manager

**Re: 370, 378, 412, 436 Garner Road East, Hamilton (Ancaster)  
Draft Plan of Subdivision Application**

---

Dear Madam:

A. J. Clarke and Associates Ltd. have been retained by First Gulf Real Estate Corporation to coordinate an application for Draft Plan of Subdivision to implement an industrial subdivision on the subject lands, identified as 370, 378, 412, 436 Garner Road East, Ancaster, in the City of Hamilton.

The proposal consists of a twelve (12) Block industrial Draft Plan of Subdivision. Of those Blocks, seven (7) Blocks are intended for future development. The remaining Blocks consist of conservation areas, road widenings, and dedications.

A Formal Consultation Meeting (FC-20-049) was held on June 17<sup>th</sup>, 2020 regarding the proposed development. As per the FC Document provided subsequent to that meeting, a number of technical studies and plans were identified as requirements for a complete submission under the *Planning Act*. Accordingly, we are pleased to provide you with the following materials in relation to the subject Draft Plan of Subdivision application:

1. One (1) cheque in the amount of \$59,290.79.00, made payable to the City of Hamilton, in payment of the requisite application fee;
2. One (1) cheque in the amount of \$10,400.00, made payable to the Hamilton Conservation Authority in payment of the requisite review fee;
3. One (1) digital copy of the signed and complete application form;
4. One (1) digital copy of Formal Consultation Document FC-20-049;
5. One (1) digital copy of the Freeland Letter of Authorization, dated April 14<sup>th</sup>, 2020;
6. One (1) digital copy of the First Gulf Letter to the City of Hamilton, dated December 17<sup>th</sup>, 2020;
7. One (1) digital copy of the Draft Plan of Subdivision, prepared by A.J. Clarke & Associates Ltd., dated December 10<sup>th</sup>, 2020;
8. One (1) digital copy of the Concept Plan, prepared by Baldassarra Architects Inc., dated September 17<sup>th</sup>, 2020;





9. One (1) digital copy of the Planning Justification Report, prepared by A.J. Clarke & Associates Ltd., dated December 2020;
10. One (1) digital copy of the Urban Design Brief, prepared by A.J. Clarke & Associates Ltd., dated December 2020;
11. One (1) digital copy of the Dust Mitigation Plan, prepared by SLR Consulting (Canada) Ltd., dated October 13<sup>th</sup>, 2020;
12. One (1) digital copy of the Environmental Impact Study, prepared by Dillon Consulting, dated December 11<sup>th</sup>, 2020;
13. One (1) digital copy of the Functional Servicing & Stormwater Management Report, prepared by Husson, dated December 2020;
14. One (1) digital copy of the Geomorphological & Erosion Mitigation Assessment, prepared by Geo Morphix Ltd., dated December 8<sup>th</sup>, 2020;
15. One (1) digital copy of the Landscape Plan, prepared by Hill Design Studios, dated December 9<sup>th</sup>, 2020;
16. One (1) digital copy of the Noise Feasibility Study, prepared by S.S. Wilson Associates, dated December 15<sup>th</sup>, 2020;
17. One (1) digital copy of the Pest Control Plan, prepared by Orkin Canada, dated August 31<sup>st</sup>, 2020;
18. One (1) digital copy of the Stage 1-2 Archaeological Assessment, prepared by Earthworks Archaeological Services Inc., dated December 8<sup>th</sup>, 2020;
19. One (1) digital copy of the Transportation Impact Study, prepared by Salvini Consulting, dated December 2020;
20. One (1) digital copy of the Preliminary Geotechnical Investigation, prepared by Pinchin Ltd., dated December 13<sup>th</sup>, 2019;
21. One (1) digital copy of the Preliminary Geotechnical Investigation, prepared by Pinchin Ltd., dated December 19<sup>th</sup>, 2019;
22. One (1) digital copy of the Geotechnical Investigation – Buildings D & E, prepared by GHD Limited, dated November 16<sup>th</sup>, 2020.

A new collector road (Street 'A'), having a right of way width of 26.0 metres, is planned to provide a new connection between Southcote Road and Garner Road East. However, it should be noted that the proposed daylight triangle at the southeast corner of the intersection (forming part of the future Street 'A' ROW) is located on the adjacent property to the east. It is understood that the Applicant is in the process of working with the adjacent landowner to reach a resolution regarding ownership of the daylighting triangle. Further details regarding the implementation of the daylight triangle will be determined in consultation with the City of Hamilton through the technical review process.

As per the concurrently submitted Functional Servicing and Stormwater Management Report, wastewater for the northern portion of the site is proposed to be drained to an existing 375 mm diameter trunk wastewater sewer located on Garner Road, draining north along John Frederick Drive. However, the sewer



Attn: Ms. Yvette Rybensky  
Re: 370, 378, 412, 436 Garner Road East

on John Frederick Drive currently dead ends on Martineau Place, and has no connection to Maplevue Drive, it's ultimate destination. At this time, timing for that connection is not known. Accordingly, servicing to the site will be provided along a sanitary sewer to be constructed along Garner Road from the John Frederick Drive easterly to its current terminus west of barley Lane, approximately 2km to the east. Additionally, new 400mm watermain is proposed to be installed on Southcote Road to provide a secondary connection for the proposed subdivision, designed to municipal standards. Accordingly, the proposed development can adequately be serviced with the pressures and flows in the existing watermain system. Please refer to the Functional Servicing and Stormwater Management Report for further details.

I trust this is satisfactory and thank you for your cooperation in this matter. If you need additional information or clarification regarding the above, please do not hesitate to contact our office.

Sincerely,

Miles Weekes, MCIP, RPP  
Planner  
**A. J. Clarke and Associates Ltd.**

Encl.

Cc: First Gulf Real Estate Corporation (c/o Dana Roebuck)

# Tab 2



Hamilton

Mailing Address:  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, Ontario  
Canada L8P 4Y5  
www.hamilton.ca

Planning and Economic Development Department  
Development Planning, Heritage and Design  
71 Main Street West, 5<sup>th</sup> Floor, Hamilton ON L8P 4Y5  
Phone: 905-546-2424 Fax: 905-546-4202

January 22, 2021

File(s): 25T-202102  
Folder: 2021 100453 00 PLAN (1018123)

A J Clarke & Associates C/O Steve Fraser  
25 MAIN St. W SUITE 300  
HAMILTON ON  
L8P 1H1  
*Sent via email* [steve.fraser@ajclarke.com](mailto:steve.fraser@ajclarke.com)

Dear Mr. Fraser:

**Re: Notice of Complete Application by A J Clarke & Associates C/O Steve Fraser for Draft Plan of Subdivision for Lands Located at 370, 378, 412, and 436 Garner Road East and Concession 4, Part of Lot 47, Ancaster (Ward 12)**

Thank you for choosing the City of Hamilton for your planning applications.

In accordance with the provisions of the *Planning Act*, all of the information and material required for this application has been provided and it is deemed complete.

It is our goal to provide you with efficient and timely processing of your applications so that you may receive a decision as soon as possible. Your application has been assigned to **James Van Rooi** for processing. This planner will soon be in contact with you regarding your applications.

Should you have any questions or require assistance at any time throughout the planning process, please feel free to contact either James Van Rooi at 905.546.2424 ext. 4283 or by email at [James.Vanrooi@Hamilton.ca](mailto:James.Vanrooi@Hamilton.ca), or myself at ext. 5134.

Yours truly,

Yvette Rybensky, BES, MCIP, RPP  
Senior Project Manager  
Development Planning, Heritage and Design - Suburban Team

YR:jvr

cc: First Gulf Corporation  
351 KING STREET EAST FLOOR 13  
TORONTO ON  
M5A 0L6  
*Sent via email* [droebuck@firstgulf.com](mailto:droebuck@firstgulf.com)

# Tab 3

October 3, 2024

**The City of Hamilton**  
**Planning and Economic Development Department**  
**Planning Division**  
**71 Main Street West, 5<sup>th</sup> Floor**  
**Hamilton, Ontario L8P 4Y5**

Delivered via e-mail: [Jennifer.Catarino@hamilton.ca](mailto:Jennifer.Catarino@hamilton.ca)

Attn: Jennifer Catarino, MCIP, RPP, Area Planning Manager, West Team

Dear Jennifer:

**RE: 370, 378, 412, 436 Garner Road East, Hamilton (Ancaster)**  
**Draft Plan of Subdivision Application (25T-202102)**  
**4<sup>th</sup> Submission**

---

Enclosed with this letter is the 4th submission by First Gulf Corporation ("**First Gulf**") regarding our application for draft plan of subdivision approval no. 25T-202102 (the "**Application**") for lands known municipally as 370, 378, 412 and 436 Garner Road East (the "**Site**"), located in the City of Hamilton (Ancaster) (the "**City**").

**Submission History and Current State:**

First Gulf made its 1<sup>st</sup> submission for draft plan of subdivision approval through A. J. Clarke and Associates Ltd. on December 18, 2020. The application was deemed complete on January 22, 2021. Based on comments received on this 1<sup>st</sup> submission, First Gulf amended its proposal and made its 2<sup>nd</sup> submission in July 2022. Similarly, to address further comments received from the City and other stakeholders, First Gulf provided the City with a 3<sup>rd</sup> submission on December 22, 2023. Our responses to the comments received on our 3<sup>rd</sup> submission are detailed further below in this letter, and we have provided a detailed response matrix enclosed with this package.

Concurrently with the City's review and First Gulf's resubmissions, we and our consultant team have made continuous efforts to engage with the various stakeholders at the City and neighbouring landowners. This includes meeting (in-person and virtually) on several occasions with various City Divisions including Development Engineering, Natural Heritage Planning, and Forestry & Horticultural Section. We have also had opportunity to discuss the application with the Ministry of Transportation Ontario and Hamilton Conservation Authority.

While we appreciate that the City has been willing to engage in the above noted reviews, this process, as we note below, has been marked (in writing and in meetings) by very contradictory messaging. Despite our efforts to work cooperatively to address the City's comments, this lack of clear, consistent direction has placed us in a position where it is difficult, if not impossible to move forward with the project.

We have noted in our response matrix a number of the concerns we have with how the Application is being processed by City staff. Primary among our concerns are:

1. The change in the scope of work over the sanitary sewers. First Gulf initially had an agreement with City staff to construct a new sanitary sewer, which the project was then assigned to a different landowner without the input of First Gulf. First Gulf should be provided with those plans and the timelines for the construction of same to understand the timelines for the First Gulf project.
2. Requiring cash payments for works that the City requires for future nearby developments, with no credit for same offered by the City. These works should instead be covered under the Development Charges regime, and it is unclear under what authority the City is permitted to require cash payment for such works.
3. The City's position that there can be no approval of the Application prior to:
  - a. lifting the "h" under the zoning for the Site. This is not supported by either the Planning Act or the City's Official Plan policies, both of which simply require that the plans show adequate services "to be available" (Planning Act, ss.51(17(k)) or "can be supplied" (OP policy 1.14.1.2(b)) to support the proposed subdivision; and
  - b. the conclusion of the 140 Garner Road East OLT hearing (OLT-21-001788). We understand that the current plans before the Tribunal in that hearing will accommodate all reasonable alternatives, it's final determination should not interfere with draft plan approval for this Site.
4. There is a significant disconnect between Transportation and Natural Heritage staff with respect to the location of the through road on the Site and the maintenance or relocation of the wetland, which is non provincially significant nor is it identified on Schedule B of the Official Plan or Map B.8-2 of the AEGD, as a result of this preferred location. First Gulf is put in an impossible position as a result.
5. A number of concerns raised and requests made by the City are premature and inappropriate for consideration as part of a plan of subdivision approval. These matters can be appropriately dealt with in due course as part of subsequent applications and approvals which will be required for the Site.
6. Requiring information with respect to other properties not related to the Application is inappropriate for failing to make a decision on this proposal.
7. First Gulf had spoken with to Development Engineering to discuss the opportunity of issuing a site alteration permit in advance of the subdivision approval and unfortunately, these discussions have not progressed. Given that the subject property is designated as an Employment Area, we understand under Bylaw 19-286, Section 9, subsection 3, there is an opportunity to obtain a site alteration permit in advance of receiving approval on the Plan of Subdivision. We are hopeful that we can continue to discuss advancing this permit with the City in anticipation of commencing earthworks in 2025 as we were unable to do so in 2024.

The approvals process for this Application has been characterized by a lack of consistency and transparency, and an overreaching by staff on a number of issues. This approach by the City leads to unnecessary delay of the First Gulf development, which is particularly puzzling as the lands are already designated for the proposed use, and such delays are resulting in real financial impact, including loss of opportunity for quality tenants.

First Gulf is willing to continue to work with the City towards approval; however, to facilitate productive and cooperative exchanges, we urge the City to provide more coordination amongst its own team and to reconsider the objectives and impacts of its requests in light of the Site's existing permissions and the legislative tests for a plan of subdivision approval.

On this basis, and with hope that we have addressed the City's comments on our 3rd submission to the extent required for a plan of subdivision approval, we provide the enclosed 4<sup>th</sup> submission revisions, and request that staff bring forward a report Fall 2024 recommending draft plan approval for the Site.

### **Comments on 3<sup>rd</sup> Submission:**

First Gulf has reviewed the following comments issued by the City and commenting agencies on our 3rd submission:

<b>City Department/Agency</b>	<b>Comment Date</b>	<b>Received On</b>
<b>Development Planning</b>	January 26, 2024	February 9, 2024
<b>Forestry &amp; Horticulture Section</b>	February 6, 2024	February 9, 2024
<b>Transport Canada</b>	January 24, 2024	February 9, 2024
<b>Waste Management Division, Public Works</b>	January 16, 2024	February 9, 2024
<b>Hamilton International Airport</b>	February 8, 2024	February 9, 2024
<b>Hamilton Conservation Authority</b>	February 14, 2024	June 7, 2024
<b>Cultural Heritage</b>	February 20, 2024	June 13, 2024
<b>Development Engineering</b>	April 8, 2024	April 9, 2024
<b>Natural Heritage Planning</b>	June 28, 2024	July 3, 2024
<b>Legislative Approvals</b>	Date not indicated	June 13, 2024
<b>Urban Design</b>	Date not indicated	June 13, 2024
<b>Ministry of Transportation</b>	July 28, 2024	July 28, 2024
<b>Transportation (comments pertain to 2<sup>nd</sup> submission only)</b>	September 19, 2022	October 19, 2022

### **First Gulf Responses to Comments:**

The comments we have received to-date have led to the following high-level revisions:

- At the request of the MTO, the 14.0m setback has been corrected on the enclosed materials.
- At the request of Development Engineering, the following high-level revisions have been made. Please refer to the enclosed matrix and materials for greater details.
  - The cul-de-sac within Street A has been shortened in length and as a result, Block 3 and Block 6 have slightly decreased in size;
  - Block 9 has increased in size to accommodate a larger SWM pond. As a result, Block 2 has decreased in size and a revised building configuration on the said Block is being proposed and shown for conceptual purposes;



- Block 8 identifies the location of the pumping station as confirmed by Development Engineering and will be DC funded. This Block has slightly decreased in size as a result of increasing the size of Block 9;
  - The previously identified Block 10 was created as a separate Block to accommodate a drainage easement. Under the enclosed revised Draft Plan, the drainage easement is merged into Block 9 and therefore, a separate Block for the drainage easement is no longer required or provided for. The Block numbers have been adjusted accordingly;
  - A new Block 10 has been created to demonstrate a private driveway which will accommodate a future easement to service the lands (water) to the immediate south; and,
  - First Gulf is awaiting direction from Development Engineering regarding the ownership of the SWM pond.
- As per the conversations with the local Councillors office, First Gulf has agreed to convey Block 7 (woodlot) to the City which will assist in addressing the City's concerns regarding long-term protection of the said area.

The enclosed response matrix further details how all comments have been addressed.

#### **4<sup>th</sup> Submission Package:**

In support of this 4<sup>th</sup> submission, please find enclosed the following materials:

<b>Drawings</b>			
<b>Drawing # &amp; Title</b>	<b>Prepared By</b>	<b>Rev #</b>	<b>Date</b>
Preliminary Masterplan Site Study (with aerial)	Baldassarra Architects Inc.	-	August 1, 2024
Draft M-Plan	A.J. Clarke and Associated Ltd.	-	July 24, 2024
Drawing No. 100 Functional Grading Plan	Husson Engineering + Management	6	August 18, 2024
Drawing No. 200 Functional Storm Design	Husson Engineering + Management	6	August 18, 2024
Drawing No. 201 Functional SWM Pond Design	Husson Engineering + Management	6	August 18, 2024
Drawing No. 300A Functional Wastewater Drainage Plan	Husson Engineering + Management	6	August 18, 2024
Drawing No. 300B Functional Wastewater Drainage Plan	Husson Engineering + Management	6	August 18, 2024
Drawing No. 400 Functional Watermain Deign	Husson Engineering + Management	6	August 18, 2024
Drawing No. L1 Landscape – Buffer Restoration Concept	Hill Design Studio	4	August 13, 2024

Drawing No. L2 Landscape – SWM Pond Landscape Concept	Hill Design Studio	4	August 13, 2024
Drawing No. L3 Landscape – Landscape Details	Hill Design Studio	4	August 13, 2024
Sheet 1 of 2 Wetland Replacement Detailed Design Planform and Details	GeoMorphix	2	July 29, 2024
Sheet 2 of 2 Wetland Replacement Detailed Design Planform and Details	GeoMorphix	2	July 29, 2024
<b>Supporting Materials</b>			
<b>Report Title</b>	<b>Prepared By</b>	<b>Rev #</b>	<b>Date</b>
Functional Servicing and Stormwater Management Report	Husson Engineering + Management	-	August 2024
Environmental Impact Study	Dillon Consulting	-	August 2024
Arborist Report and Tree Preservation Plan (included within the EIS)	Dillon Consulting	-	August 2024
Environmental Monitoring Plan (included within the EIS)	Dillon Consulting	-	August 2024
Invasive Species Management Plan (included within the EIS)	Dillon Consulting	-	August 2024
Wildlife Mitigation Plan (included within the EIS)	Dillon Consulting	-	August 2024
Transportation Impact Study	Salvini Consulting		
Comments Matrix	First Gulf and listed Consultants	-	October 2, 2024
Erosion Mitigation Assessment (for reference purposes of this was previously provided with original submission)	GeoMorphix	-	December 8, 2024
Email for April 26, 2024 Meeting Minutes	First Gulf	-	May 31, 2024
Meeting Minutes from April 26, 2024 (for reference purposes)	First Gulf, Husson and City of Hamilton	-	April 26, 2024
Technical Brief for Wetland Compensation Design	GeoMorphix	-	July 26, 2024

The above application materials are in addition to relevant application materials which have previously submitted. The development of these lands will unlock significant prestige employment opportunities to the AEGD and can assist with Hamilton's ability to promote itself as an economic and goods movement gateway, as intended for per the AEDG Secondary Plan. We trust that the enclosed revisions are sufficient to have staff bring forward a staff report this Fall recommending draft plan approval for these lands.

Please confirm should you require any hardcopies of the enclosed materials. If you have any questions or wish to discuss further, please do not hesitate to contact the undersigned.

Respectfully,

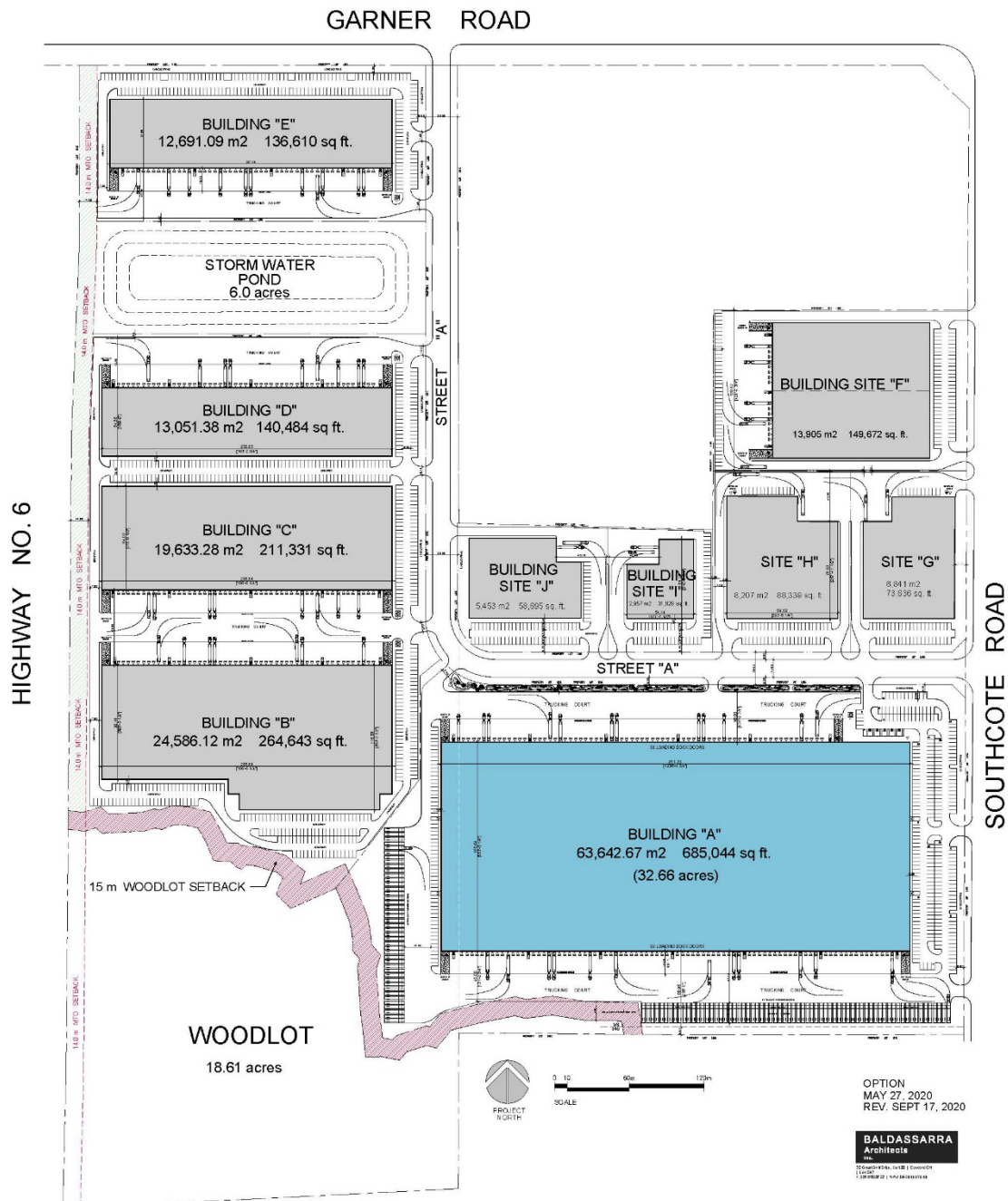
A handwritten signature in black ink, appearing to read 'ASgro', written over a horizontal line.

Andrew Sgro  
Director, Development  
416.773.7140 | asgro@firstgulf.com

# Appendix C to Report PED25065

## Page 1 of 1

### CONCEPTUAL MASTER PLAN LAYOUT FOR GARNER ROAD DEVELOPMENT ANCASTER, ONTARIO

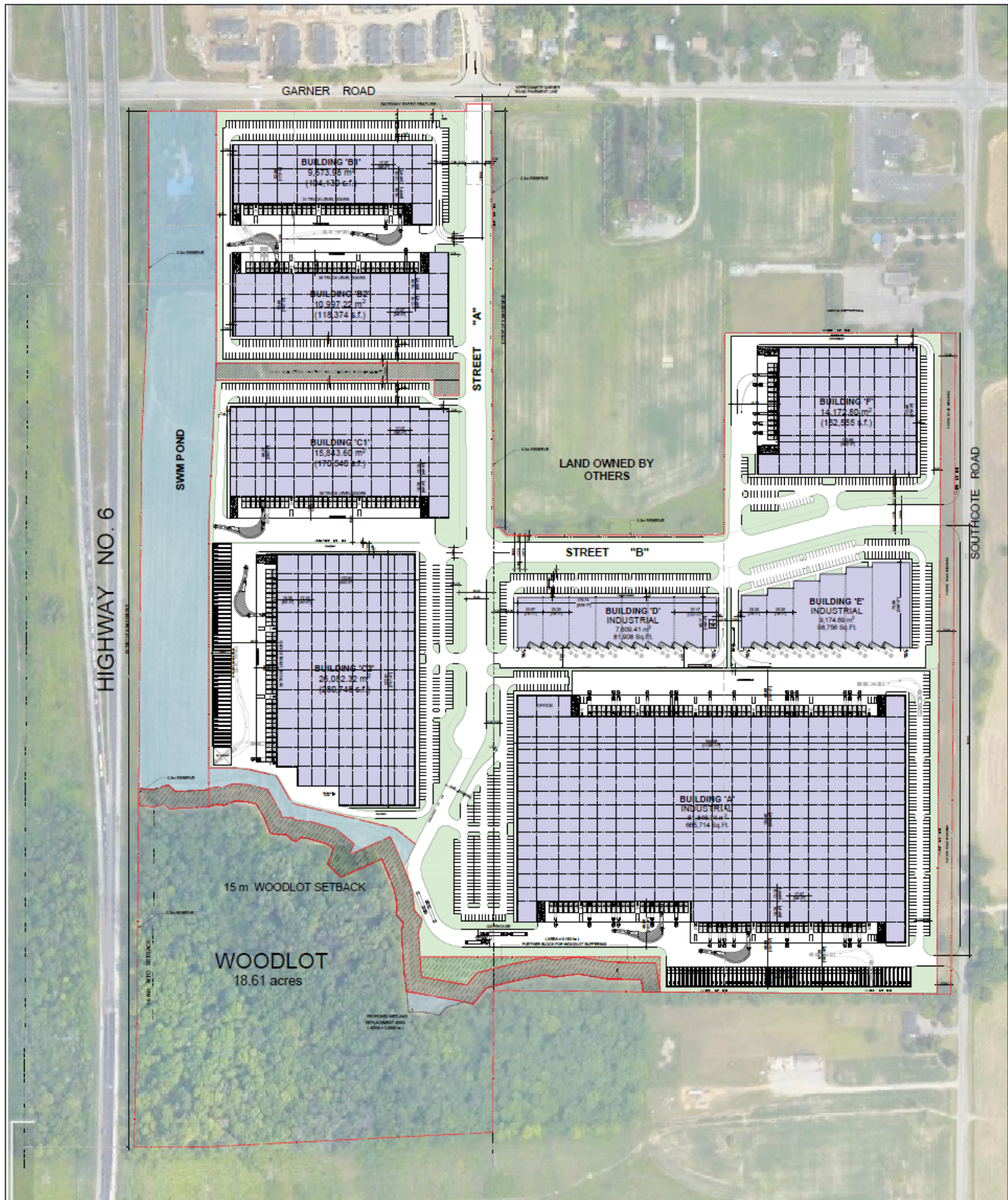






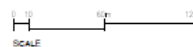
# Appendix D to Report PED25065

Page 2 of 2



## PRELIMINARY MASTERPLAN SITE STUDY

DEC 21, 2023  
P10145



**BALDASSARRA**  
Architects  
Inc.

30 Stone Cliff Drive, Unit 20 | Chester ON  
L1R 9P7  
1-800-885-0722 | www.baldassarra.ca



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** March 18, 2025

**Report No:** PED25073

**Subject/Title:** Application for a Zoning By-law Amendment for  
Lands Located at 420 Crerar Drive, Hamilton

**Ward(s) Affected:** Ward 7

---

### Recommendations

1. That **Zoning By-law Amendment application ZAC-25-005, by Landwise (c/o Edward John), on behalf of Sons and Daughters of Italy Crerar Corporation, Owner**, for a change in zoning from the Community Institutional (I2) Zone to the Community Institutional (I2, 925) Zone, to permit the use of a Private Club or Lodge on lands located at 420 Crerar Drive, Hamilton, as shown on Appendix A attached to Report PED25073, **BE APPROVED** on the following basis:
  - (a) That the draft Amended By-law, attached as Appendix B to Report PED25073, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (b) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024) and complies with the Urban Hamilton Official Plan.

### Key Facts

- The application is for a Zoning By-law Amendment to change the zoning from the Community Institutional (I2) Zone to the Community Institutional (I2, 925) Zone.
- The proposed development adaptively reuses the existing building (former school) as a Private Club or Lodge. The change of use will be accommodated through interior renovations to the existing building, and no exterior development or site alteration is proposed through this application. Please refer to the Concept Plan in Appendix D attached to Report PED25073.

**Application for a Zoning By-law Amendment for Lands Located at 420 Crerar Drive (Ward 7)**  
**Page 2 of 5**

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- The subject lands are designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations and zoned Community Institutional (I2) Zone in Zoning By-law No. 05-200, which does not permit a Private Club or Lodge.
- Staff recommends approval of the application for Zoning By-law Amendment as shown in Appendix B to Report PED25073.

## **Financial Considerations**

Not applicable.

## **Analysis**

The subject lands are municipally known as 420 Crerar Drive, Hamilton, and are approximately 1.77 hectares (4.39 acres) in size and are located on the north side of Crerar Drive, west of Timothy Place. The subject lands contain an existing building (formerly a school). The subject lands have an irregular shape with frontage along Crerar Drive and vehicular access off Crerar Drive. There is a teacher’s college building located directly east of the subject lands, which shares an access with the subject lands, single detached dwellings to the south, and vacant lands to the west and north, as indicated in Appendix A1 to PED25073.

The proposed development adaptively reuses the existing building (former school) as a Private Club or Lodge. The change of use will be accommodated through interior renovations to the existing building, and no exterior development or site alteration is proposed through this application. Please refer to the Concept Plan in Appendix D attached to Report PED25073.

A full review of applicable Provincial Planning Statement and Urban Hamilton Official Plan policies is provided in Appendix E attached to Report PED25073.

## **Provincial Planning Statement (2024)**

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

Through the adaptive reuse of a former school site as another public service facility, the proposal for a Private Club or Lodge supports healthy, integrated, and complete communities that optimize existing infrastructure and public service facilities and supports convenient access to services and recreation in accordance with Policy 2.3.1.2 b) of the Provincial Planning Statement.

Based on the foregoing, the proposal is consistent with the Provincial Planning Statement (2024).



**Application for a Zoning By-law Amendment for Lands Located at 420 Crerar  
Drive (Ward 7)  
Page 3 of 5**

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### **Urban Hamilton Official Plan**

The subject lands are designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations. The “Neighbourhoods” designation primarily consists of residential uses and complementary facilities and services intended to serve neighbourhood residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services. The proposed Private Club or Lodge is considered a complementary facility and service that is intended to serve residents. Policy E.3.2.3 of the Urban Hamilton Official Plan permits local community facilities/services in the “Neighbourhoods” designation, such as the proposed Private Club or Lodge.

Policy E.3.2.8 provides evaluation criteria for the establishment of supportive uses. The proposal would be considered a supportive use and shall be evaluated based on compatibility with the surrounding area, access to a collector or major or minor arterial road, provision of adequate off-street parking, and compliance with Section B.3.3 – Urban Design Policies and B.3.5 – Community Facilities/Services Policies. The proposed Private Club or Lodge is to be accommodated on the lands by adaptively reusing the existing building, and no exterior development or site alteration is proposed. The existing building does not create adverse shadow or wind impacts on adjacent properties. Accordingly, the proposal is compatible with the surrounding area. The proposal will have future access to a collector road, as Crerar Drive has draft plan of subdivision approval to be extended to the west of the subject lands and connect to Stone Church Road East. This future connecting segment of Crerar Drive to Stone Church Road East is classified as a collector road. Given that the proposal reuses the existing building, and that a supportive use (school) previously existed on the lands without direct access to a collector, minor or major arterial, staff do not anticipate any adverse impacts.

The policies related to Community Facilities/Services in Section B.3.5 relates to new buildings, which are not applicable. Policy B.3.5.2.2 states that the City will consider opportunities for optimizing the use of existing community facilities and their adaptive re-use, wherever feasible. The proposed development adaptively reuses the existing building on the lands and complies with the policies of Section B.3.3 and E.3.0 of the Urban Hamilton Official Plan.

Based on the policy analysis provided in Appendix E attached to Report PED25073, the proposal complies with the Urban Hamilton Official Plan.

### **Crerar Neighbourhood Plan**

The subject lands are designated as “Civic and Institutional” in the Crerar Neighbourhood Plan, which recognizes the previous use on the lands as a school. The proposal is also considered a Community Facility/Service per the Urban Hamilton Official Plan and would therefore also be appropriate under the “Civic and Institutional”

**Application for a Zoning By-law Amendment for Lands Located at 420 Crerar Drive (Ward 7)**  
**Page 4 of 5**

designation in the Crerar Neighbourhood Plan. Accordingly, the proposed Private Club or Lodge conforms to the designation within the Crerar Neighbourhood Plan.

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

The subject lands are currently zoned as Community Institutional (I2) Zone under Zoning By-law No. 05-200. A Private Club or Lodge is not a permitted use within the (I2) Zone. The purpose of the Zoning By-law Amendment application is to add a Private Club or Lodge as a permitted use within the Community Institutional (I2) Zone. Refer to the proposed amendment to Zoning By-law No. 05-200 in Appendix B attached to Report PED25073 and to the Zoning Modification Table in Appendix H attached to Report PED25073.

### **Rationale For Recommendation**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Planning Statement (2024);
  - (ii) It complies with the Urban Hamilton Official Plan; and,
  - (iii) The proposal is compatible with the surrounding neighbourhood and represents good planning by facilitating healthy, integrated, and complete communities that optimize existing infrastructure and public service facilities, which support convenient access to services and recreation.
2. Zoning By-law Amendment

The proposed Zoning By-law Amendment application is to rezone the lands from the Community Institutional (I2) Zone to the Community Institutional (I2, 925) Zone, to permit the use of a Private Club or Lodge on lands located at 420 Crerar Drive, Hamilton, as shown in Appendix A attached to Report PED25073.

Staff are satisfied that the proposed Zoning By-law Amendment complies with the policies of the Urban Hamilton Official Plan, in particular as it relates to the provision of compatible Community Facilities/Services that facilitate healthy, integrated, and complete communities and optimize existing infrastructure and public service facilities to support convenient access to services and recreation by neighbourhood residents.

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

**Application for a Zoning By-law Amendment for Lands Located at 420 Crerar Drive (Ward 7)**  
**Page 5 of 5**

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## **Alternatives**

Should the application be denied, the subject land can be used in accordance with the Community Institutional (I2) Zone in City of Hamilton Zoning By-law No. 05-200, which does not permit a Private Club or Lodge.

## **Relationship to Council Strategic Priorities**

- Priority 1: Sustainable Economic & Ecological Development
  - 1.2: Accelerate our response to climate change
- Priority 2: Safe & Thriving Neighbourhoods
  - 2.1: Provide vibrant parks, recreation, and public space

## **Consultation**

The applications were circulated to internal departments and external agencies. Refer to the comment summary and responses provided in Appendix F attached to Report PED25073.

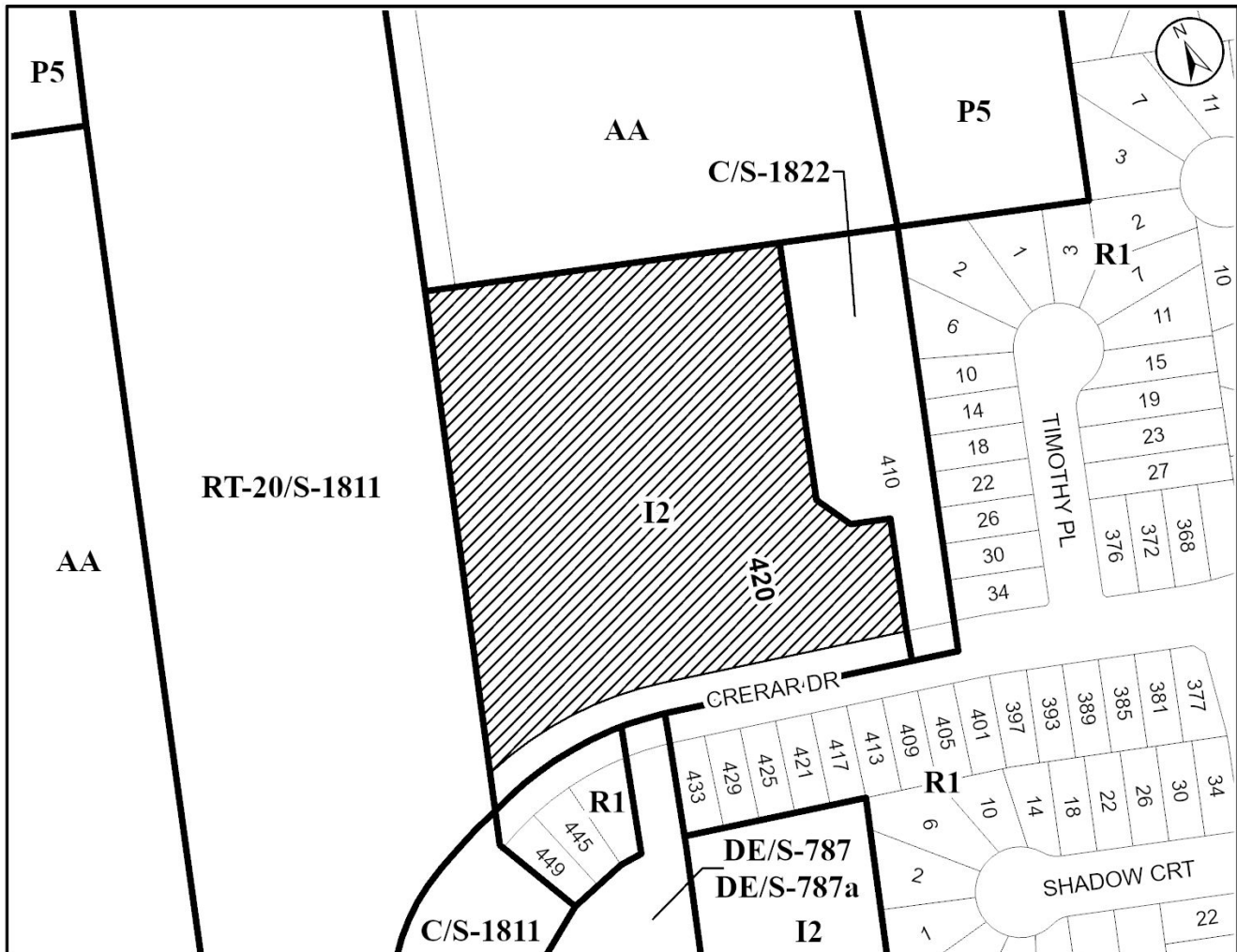
The applicant hosted a public open house on December 18, 2024, in the existing building on the subject lands and approximately 11 members of the public attended. Please refer to Appendix G attached to Report PED25073 for the applicant's Public Consultation Strategy and Summary. City staff received two emails from members of the public, which are included as Appendix I attached to Report PED25073.

## **Appendices and Schedules Attached**

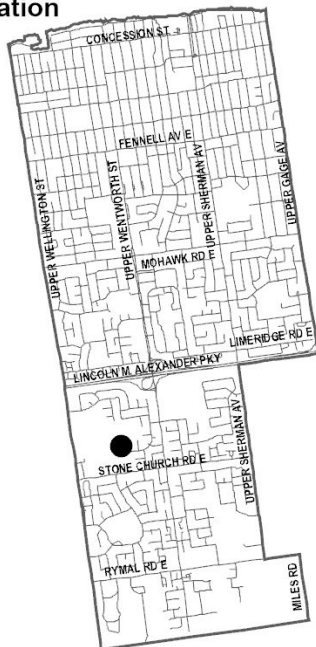
Appendix A:	Location Map
Appendix A1:	Existing and Surrounding Land Uses and Zoning
Appendix B:	Amendment to Zoning By-law No 05-200
Appendix C:	Historical Background Report Fact Sheet
Appendix D:	Concept Plan
Appendix E:	Policy Review
Appendix F:	Staff and Agency Comments
Appendix G:	Public Consultation Strategy and Summary
Appendix H:	Zoning Modification Table
Appendix I:	Public Comments

**Prepared by:** Spencer Skidmore, Area Planning Manager  
Planning and Economic Development Department,  
Development Planning

**Submitted and Recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development Department



### ● Site Location



### Key Map - Ward 7

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-25-005

**Date:**  
February 4, 2025

## Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
SS/SH

### Subject Property

420 Crerar Drive, Hamilton



Change in zoning from the Community Institutional (I2) Zone to the Community Institutional (I2, 925) Zone

**Appendix A1 to Report PED25073****Page 1 of 1****Existing and Surrounding Land Uses and Zoning**

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Educational Establishment	Community Institutional (I2) Zone
<b>Surrounding Land Uses:</b>		
North	Open Space	“AA” (Agricultural) District
South	Single Detached Dwellings, Retirement Home	Low Density Residential (R1) Zone and “DE/S-787” and “DE/S-787a” (Low Density Multiple Dwellings) District, Modified
East	Existing Building (Educational Establishment)	“C/S-1822” (Urban Protected Residential, Etc.) District, Modified
West	Vacant (Future Residential)	“RT-20/S-1811” (Townhouse – Maisonette) District, Modified.

**Appendix B to Report PED25073****Page 1 of 3**

**Authority:** Item,  
Report (PED25 )  
CM: March 26, 2025  
Ward: 7

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

**To amend Zoning By-law No. 05-200 with respect to lands located at 420 Crerar Drive, Hamilton**

**WHEREAS** Council approved Item \_\_ of Report \_\_\_\_\_ of the Planning Committee, at its meeting held on March 18, 2025;

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

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

1. That Schedule "A" – Zoning Maps, Map No. 1344 is amended by changing the zoning from the Community Institutional (I2) Zone to the Community Institutional (I2, 925) Zone, for the lands known as 420 Crerar Drive, Hamilton, the extent, and boundaries of which are shown on Schedule "A" to this By-law.
2. That Schedule "C": Special Exceptions is amended by adding the following new Special Exception:
 

"925      Within the lands zoned Community Institutional (I2, 925) Zone, identified on Map No. 1344 of Schedule "A" – Zoning Maps and described as 420 Crerar Drive, Hamilton the following special provisions shall apply:

  - a) In addition to Section 8.2.1, a Private Club or Lodge shall also be permitted.
  - b) That Section 8.2.3.2 shall also apply to a Private Club or Lodge."
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 provisions of the Community Institutional (I2, 925) Zone, subject to the special requirements referred to in Section No. 2 of this By-law.
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

**PASSED** this   <sup>th</sup> day of March 2025.s

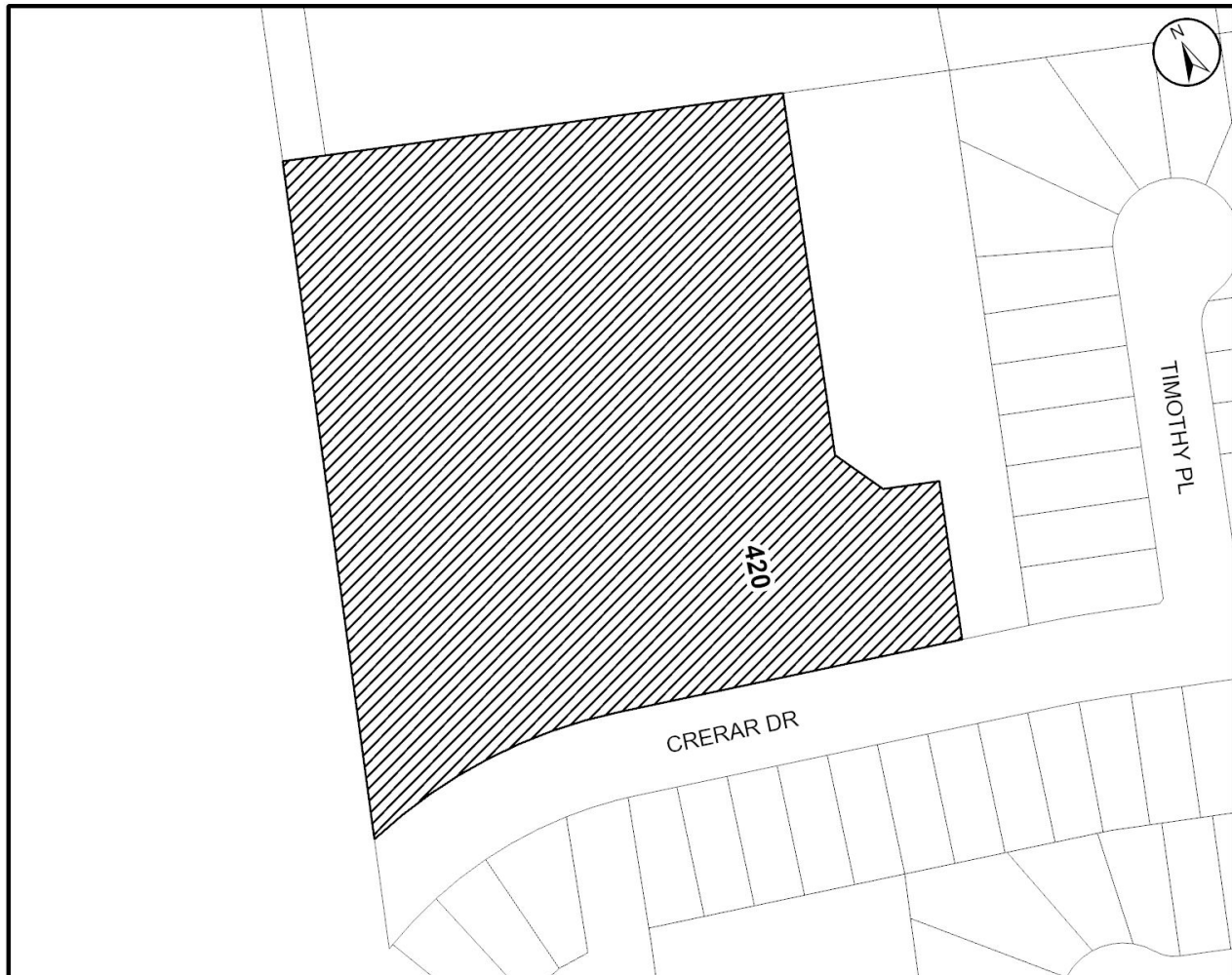
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A. Horwath  
Mayor

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M. Trennum  
City Clerk

ZAC-25-005

**Appendix B to Report PED25073****Page 3 of 3**

This is Schedule "A" to By-law No. 25-

Passed the ..... day of ....., 2025

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Mayor

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Clerk

## Schedule "A"

Map forming Part of  
By-law No. 25-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 1344

### Subject Property

420 Crerar Drive, Hamilton



Change in zoning from the Community  
Institutional (I2) Zone to the Community  
Institutional (I2, 925) Zone

Scale:  
N.T.S

File Name/Number:  
ZAC-25-005

Date:  
February 4, 2025

Planner/Technician:  
SS/SH



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

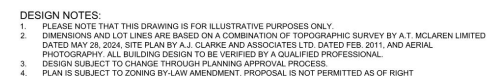


**Appendix C to Report PED25073****Page 1 of 2****HISTORICAL BACKGROUND**

<b>Application Details</b>	
Owner:	Sons and Daughters of Italy Crerar Corporation
Applicant/Agent:	Landwise (c/o Edward John)
File Number(s):	ZAC-25-005
Type of Application:	Zoning By-law Amendment
Proposal:	To adaptively reuse the existing building (former school) as a Private Club or Lodge. There are no exterior alterations to the structure or site alteration proposed through this application.
<b>Property Details</b>	
Municipal Address:	420 Crerar Drive, Hamilton
Lot Area:	± 17,750 m <sup>2</sup> (± 1.78 ha).
Servicing:	Full municipal services.
Existing Use:	Educational Establishment (School)
<b>Documents</b>	
Provincial Planning Statement:	The proposal is consistent with the Provincial Planning Statement (2024).
Official Plan Existing:	"Neighbourhoods" on Schedule E – Urban Structure and Schedule E-1 – Urban Land Use Designations.
Zoning Existing:	Community Institutional (I2) Zone
Zoning Proposed:	Community Institutional (I2, 925) Zone
Modifications Proposed:	<ul style="list-style-type: none"> <li>• To add Private Club or Lodge as an additional permitted use.</li> <li>• That Section 8.2.3.2. shall apply to a Private Club or Lodge.</li> </ul>
<b>Processing Details</b>	
Received:	January 7, 2025
Deemed Complete:	January 16, 2025
Notice of Complete Application:	Sent to 72 property owners within 120 metres of the subject lands on January 24, 2025.
Public Notice Sign:	Posted on the subject lands on January 24, 2025.
Notice of Public Meeting:	Sent to 72 property owners within 120 metres of the subject lands on March 7, 2025.

**Appendix C to Report PED25073****Page 2 of 2**

Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix F attached to Report PED25073.
Public Consultation:	<p>The applicant hosted a public open house on December 18, 2024, and approximately 11 members of the public attended.</p> <p>Refer to Appendix G attached to Report PED25073 for the applicant's Public Consultation Strategy and Summary.</p>
Public Comments:	City staff received two emails from members of the public indicating concerns regarding traffic, parking, and use of the site as a conference or convention centre. The public comments and staff responses are included as Appendix I attached to Report PED25073.
Processing Time:	70 days.



**Appendix E to Report PED25073**  
**Page 1 of 7**

## SUMMARY OF POLICY REVIEW

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

<b>Provincial Planning Statement (2024)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy</b>	<b>Staff Response</b>
<b>Planning for People and Homes</b>  Policy: 2.1.6	The achievement of complete communities should be supported by: <ul style="list-style-type: none"> <li>a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs;</li> <li>b) improving accessibility for people of all ages and abilities by addressing land use barriers which restricts their full participation in society; and</li> <li>c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.</li> </ul>	<p>The proposal is to change the use of the subject property from a former school to a Private Club or Lodge for a community organization that is supportive of the surrounding residential uses. The proposal contributes to improving social equity by accommodating a land use that is appropriate within the existing neighbourhood and improves access to community facilities for people of all ages and abilities.</p> <p>The proposal is consistent with this policy.</p>
<b>Settlement Areas</b>  Policy: 2.3.1.1 and 2.3.1.2	Settlement areas shall be the focus of growth and development.  Land use patterns within settlement areas should be based on densities and a mix of land uses which: <ul style="list-style-type: none"> <li>a) efficiently use land and resources;</li> <li>b) optimize existing and planned infrastructure and public service facilities.</li> </ul>	<p>The subject property is located within a settlement area and provides for an efficient use of land and optimizes existing and planned infrastructure and public service facilities.</p> <p>The proposal is consistent with these policies.</p>

**Appendix E to Report PED25073**  
**Page 2 of 7**

<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Urban Design Goals</b>  Policy: B.3.3.1.8	Promote intensification that makes appropriate and innovative use of buildings and sites and is compatible in form and function to the character of existing communities and neighbourhoods.	<p>The proposal for an adaptive reuse of an existing vacant school for a community related use is appropriate and demonstrates an innovative use of the existing building. The subject property is surrounded by low density housing, and the building is compatible with the character of the existing community. No modifications or additions to the exterior of the building are proposed. The applicant is proposing to add the use of Private Club or Lodge to the existing Community Institutional (I2) Zone, which is appropriate in the neighbourhood context. The applicant is not requesting any modifications to the required parking and has submitted a Trip Generation Letter, prepared by Paradigm Transportation Solutions Limited dated December 20, 2024, demonstrating that the proposal is compatible from a traffic and on-site parking perspective.</p> <p>The proposal complies with this policy.</p>

**Appendix E to Report PED25073**  
**Page 3 of 7**

Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Urban Design Principles</b>  Policy B.3.3.2.6	Redevelopment should enhance the character of the existing environment by complementing the existing massing patterns and surrounding context, minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm, and allowing the built form to evolve over time through additions and alterations that are in harmony with existing architectural massing and style.	<p>The applicant has not proposed any additions to the existing building or site alteration. In staff's opinion there will be no adverse sun/shadow impacts on the subject or adjacent properties or the public realm as a result of the proposed use.</p> <p>The proposal complies with this policy.</p>
<b>Community Facilities/Services Policies – General Policies</b>  Policy B.3.5.2.3	New public buildings and publicly or privately owned or operated community facilities developed on lands designated Neighbourhoods shall comply with Sections B.3.3 – Urban Design Policies and E.3.0 – Neighbourhoods Designation.	<p>The proposal is for the adaptive reuse of an existing building on lands designated “Neighbourhoods” in the Urban Hamilton Official Plan. The applicant has not proposed any modifications or additions to the existing building. The proposal has been evaluated against the policies of Section B.3.3 and E.3.0 in this policy summary and complies.</p> <p>The proposal complies with this policy.</p>
<b>Neighbourhoods Designation – Function</b>  Policy: E.3.2.1	Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.	<p>The proposed use is supportive of local residents and will be operated by a community organization that plans to organize events and classes. In staff's opinion, the proposed use will serve local residents and contribute to creating a complete community.</p> <p>The proposal complies with this policy.</p>
<b>Neighbourhoods Designation – Function</b>  Policy: E.3.2.3	<p>The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:</p> <ul style="list-style-type: none"> <li>a) local community facilities/services.</li> </ul>	<p>The applicant is proposing to add ‘Private Club and Lodge’ as a permitted use to the existing Community Institutional (I2) Zone. The use would be considered a Community Facilities/Services use and is permitted within the “Neighbourhoods” designation of Urban Hamilton Official Plan.</p> <p>The proposal complies with this policy.</p>

**Appendix E to Report PED25073**  
**Page 4 of 7**

Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Neighbourhoods Designation – Scale and Design</b>  Policy E.3.2.6	Supporting uses such as local commercial, community facilities/services, and open space and parks, should be clustered to create a focal point for the neighbourhood and to facilitate access by all forms of transportation.	<p>The proposal is located along a local road and was a previous school with vacant institutional lands, an adjacent school (teacher's college), parks, and open spaces within the interior of the Crerar neighbourhood. The lands are accessible by various modes of transportation. Bicycle parking is proposed to be enhanced on-site by adding seven long-term bicycle parking spaces and maintaining the existing short-term bicycle parking spaces. Bus stops serviced by Hamilton Street Rail are located in close proximity to the subject lands, and the on-site parking spaces existing on the site are proposed to be maintained.</p> <p>The proposal complies with this policy.</p>
<b>Neighbourhoods Designation – Scale and Design</b>  Policy E.3.2.7 c) d) and e)	<p>The City shall require quality urban and architectural design. Development of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:</p> <ul style="list-style-type: none"> <li>c) Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided.</li> <li>d) Development shall improve existing landscape features and overall landscape character of the surrounding area.</li> <li>e) Development shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.</li> </ul>	<p>The applicant has not proposed any modifications or additions to the existing building. The existing building is two storeys in height and the proposal will continue to be compatible with the surrounding area. The existing site maintains established pedestrian connections and the existing landscape buffer is proposed to be maintained as a buffer between Crerar Drive and the parking area. The proposal complies with Section B.3.3 as demonstrated above.</p> <p>The proposal complies with this policy</p>

**Appendix E to Report PED25073**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Neighbourhoods Designation – Scale and Design</b></p> <p>Policy E.3.2.8</p>	<p>Proposals for supporting uses, except local commercial uses, within the Neighbourhoods designation shall be evaluated on the following criteria:</p> <ul style="list-style-type: none"> <li>a) compatibility with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking, and landscaping;</li> <li>b) access to a collector or major or minor arterial road shall be preferred;</li> <li>c) provision of adequate off-street parking with appropriate buffering and landscaping from residential uses;</li> <li>d) compliance with Section B.3.3 – Urban Design Policies and B.3.5 – Community Facilities/Services Policies; and,</li> <li>e) adjacency and integration with parks to provide an attractive extension of parks and maximize the use of parkland facilities.</li> </ul>	<p>The subject property is accessed by a local road and is surrounded by low density residential dwellings. The applicant is proposing an adaptive reuse of an existing building with no additions or modifications. The existing building is two storeys in height and does not generate any adverse shadow or wind impacts. The proposal is supported by 49 existing parking spaces, which are appropriately buffered from existing residential uses.</p> <p>Although the proposal does not currently have direct access to a collector, minor or major arterial road; the proposal will have access to a collector road in the future, as Crerar Drive has Draft Plan of Subdivision (25T-202104) approval to be extended to the west of the subject lands and connect to Stone Church Road East. The future connecting segment of Crerar Drive to Stone Church Road East is classified as a collector road. Given that the proposal reuses the existing building, and that a supportive use (school) previously existed on the lands without direct access to a collector, minor or major arterial, staff do not anticipate any adverse impacts.</p> <p>The submitted Trip Generation Letter, prepared by Paradigm Transportation Solutions Limited dated December 20, 2024, concludes that automotive trips generated by the proposed Private Club or Lodge will be significantly less than what was generated by the previous educational establishment, with the exception of the Saturday peak hour, where a slight increase is anticipated as the previous school did not operate on weekends. Accordingly, the proposed use is compatible from a transportation perspective.</p>



**Appendix E to Report PED25073****Page 6 of 7**

Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Neighbourhoods Designation – Scale and Design</b>  Policy E.3.2.8 <b>(continued)</b>		<p>The proposal maintains a large recreational open space on the subject lands to the north (rear) of the existing building, that is proposed to be programmed with sports fields. This is located adjacent to the Crerar Neighbourhood Park to the north of the subject lands, which promotes the integration with adjacent City parks.</p> <p>The proposal complies with this policy.</p>
<b>Neighbourhoods Designation – Scale and Design</b> Policy E.3.2.15	<p>The City shall encourage the adaptive reuse of the existing building stock for appropriate land uses. Rezoning applications for new uses shall be evaluated to ensure compatibility with surrounding land uses.</p>	<p>The applicant is proposing an adaptive reuse of an existing building by proposing to add a Private Club or Lodge as a permitted use to the existing Community Institutional (I2) Zone for a community organization. The existing building was previously used as a school and staff have evaluated the proposed additional use from a compatibility perspective and determine it to be compatible.</p> <p>The proposal complies with this policy.</p>
<b>Community Facilities/Services</b>  Policy E.3.10.1	<p>Community facilities/services uses include public and private uses serving the cultural, religious, health, welfare, and educational needs of a neighbourhood. Community facilities/services may include community and recreation centres, arenas, parks, healthcare and social service facilities, long term care facilities, day care centres, seniors' centres, emergency medical services, fire services, police services, cultural facilities, places of worship, museums, schools, universities and colleges, and libraries.</p>	<p>The applicant is proposing to change the use of an existing building from a school to a Private Club or Lodge for a community organization. In staff's opinion the repurposing of an existing building for a community organization is an appropriate use that supports the surrounding neighbourhood.</p> <p>The proposal complies with this policy.</p>

**Appendix E to Report PED25073**  
**Page 7 of 7**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Neighbourhood Plans</b></p> <p>Policy F.1.2.11</p>	<p>Policy F.1.2.11 states that Neighbourhood Plans are policies adopted by Council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations and policies in the Neighbourhood Plan. The subject lands are in the Crerar Neighbourhood Plan which only consists of mapping and no associated policies to provide further guidance to development.</p>	<p>The subject lands are designated as “Civic and Institutional” on Crerar Neighbourhood Plan Map 7510, which recognizes the previous use on the lands as a school. The proposal is also considered a Community Facility/Service per the Urban Hamilton Official Plan and would therefore also be appropriate under the “Civic and Institutional” designation on the Crerar Neighbourhood Plan. Accordingly, the proposed Private Club or Lodge conforms to the designation within the Crerar Neighbourhood Plan.</p> <p>The proposal complies with this policy.</p>

**Appendix F to Report PED25073**  
**Page 1 of 2**

**CONSULTATION – DEPARTMENTS AND AGENCIES**

Department/Agency	Comment	Staff Response
<ul style="list-style-type: none"> <li>• Commercial District and Small Business Section, Economic Development Division, Planning and Economic Development Department;</li> <li>• Hamilton Conservation Authority;</li> <li>• Landscape Architectural Services, Strategic Planning Division, Public Works Department;</li> <li>• Corporate Real Estate, Planning and Economic Development Department;</li> <li>• Hamilton Street Railway; and,</li> <li>• Alectra Utilities.</li> </ul>	No Comment.	Noted.
Development Engineering Section, Growth Management Division, Planning and Economic Development Department.	Development Engineering reviewed the Water and Wastewater Assessment, prepared by MTE Consultants, dated December 20, 2024. Development Engineering has no objection to the approval of the Zoning By-law Amendment application as the proponent has demonstrated that the existing building use will not have an additional impact on the municipal sanitary sewer and water distribution systems.	Noted.
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department	Transportation Planning reviewed the application and have no objections to the proposed Zoning By-Law amendment to permit the use of a Private Lodge or Club on the subject lands and to adaptively reuse the existing building, which previously operated as a school, provided that no maximum parking be prescribed so that the owner is permitted to expand their on-site supply in a subsequent application for Site Plan Approval if they so choose.	No parking maximums are applicable in the Zoning By-law and the owner could expand the on-site parking supply in the future should they choose.

**Appendix F to Report PED25073**  
**Page 2 of 2**

Department/Agency	Comment	Staff Response
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department <b>(continued)</b></p>	<p>Transportation Planning has no objection to the proposed on-site parking supply of 40 parking spaces, given that informal agreements exist with a nearby College and a Place of Worship to provide additional off-street parking and both are within reasonable walking distance and / or connected with sidewalk links to the subject site. The site cannot rely on on-street parking to meet their demand and any on street regulations can be changed anytime at the City's discretion.</p>	
<p>Legislative Approvals / Staging of Development Section, Growth Management Division, Planning and Economic Development Department</p>	<p>The existing municipal address of 420 Crerar Drive will be retained for the subject proposal.</p>	<p>Noted.</p>
<p>Forestry and Horticulture Section, Environmental Services Division, Public Works Department</p>	<p>A Tree Management Plan and Landscape Plan were not requirements of the application. Tree protection will be required for the street trees along the Crerar Drive frontage should future development occur.</p>	<p>There is no development proposed to the exterior of the building through the application. Should development on the lands occur, the lands would be subject to Site Plan Control and a Tree Management Plan could be required through the process to ensure public tree assets are protected. Any work in the vicinity of municipal trees will require tree protection for municipal trees in accordance with Public Tree Protection By-law No. 15-125.</p>
<p>Waste Policy and Planning Section, Waste Management Division, Public Works Department</p>	<p>Waste Management has no objections to the Zoning By-law Amendment. The development will be ineligible for municipal waste collection as outlined in the City of Hamilton's Solid Waste Management By-law No. 20-221. A private waste hauler must be arranged for the removal of all waste materials.</p>	<p>Noted. The applicant has been made aware through these comments that the development will be ineligible for municipal waste collection.</p>

## 5.0 Public Consultation

A Community Open House was held on December 18, 2024, with neighbours and representatives from Sons and Daughters of Italy Hamilton and Landwise. Meeting invitations were delivered to properties within 120m of the subject lands, consisting of 118 addresses on December 6, 2024. Approximately 15 people attended the meeting. The Open House consisted of display boards of the proposed readaptive use for the existing building and the landowners and Landwise staff were present to answer questions from attendees. Comment sheets and Landwise's contact information were provided at the sign-in desk in order for attendees to submit feedback at a later date. Refer to **Appendix D** for the meeting invitation, sign-in sheet, copies of the display boards, and written correspondences from the public.

Table 1 summarizes the public feedback that was received at the community meeting and through written correspondence, and how the proposal addresses the feedback.

*Table 1: Community Feedback and Response*

CONCERN	RESPONSE
<u>Traffic and Parking</u> <ul style="list-style-type: none"> <li>Insufficient number of parking spaces.</li> <li>Reduction of on-street parking spaces for other visitors.</li> </ul>	<ul style="list-style-type: none"> <li>Informal written parking agreements are in place with the Cornerstone Canadian Reformed Church (353 Stone Church Rd E) and Covenant Canadian Reformed Teachers College (410 Crerar Dr) for overflow parking for occasional events.</li> <li>SDI will have a sign or people to redirect drivers at the Stone Church and Distin Dr intersection during events to the overflow lots if the on-site parking lot is full.</li> <li>Long-term bicycle parking spaces proposed within the existing building will reduce automobile dependency.</li> </ul>
<u>Events</u> <ul style="list-style-type: none"> <li>Loud groups after sports games disturbing neighbours.</li> <li>Groups who do private rentals overcrowd on-street parking.</li> <li>Neighbour expressed concern if a liquor license is obtained, it will allow for large events to take place, such as weddings.</li> </ul>	<ul style="list-style-type: none"> <li>Renters/users of spaces within the building will be asked to keep to the back of the building and that they cannot loiter after events.</li> <li>The shared parking agreements with nearby properties will reduce on-street parking.</li> <li>Spaces for rent inside the building will have clear rules to minimize disturbances to the surrounding low-density residential uses.</li> </ul>

<u>Safety</u> <ul style="list-style-type: none"><li>• Building has dim lighting on the east façade where people hang out at night.</li></ul>	<ul style="list-style-type: none"><li>• SDI will improve lighting and have motion-activated lights to deter trespassers.</li></ul>
--	--

# Appendix D:

## Public Consultation Strategy

**Appendix “D”: Public Consultation Strategy**  
**420 Crerar Drive, Hamilton**

	Explanation
<i>Target audience of the consultation</i>	<p>The target audience of the consultation includes residents and businesses within 120 metres of the Subject Lands. Ward Councillor and City of Hamilton Manager of Development Planning were notified and invited via e-mail.</p> <p>Refer to the attached list of addresses within the circulation area.</p>
<i>If done, record of consultation efforts made before the application was submitted.</i>	<p>In May 2024, Sons and Daughters of Italy (“SDI”) hosted an informal open house introducing their organization to the surrounding community.</p> <p>A Neighbourhood Open House was hosted by SDI and Landwise on Dec. 18, 2024. On Dec. 6, 2024, 118 invitations were hand delivered to addresses within 120 metres of the Subject Lands. Refer to the attached Open House invitation. Approximately 15 members of the public attended the Open House where representatives of SDI and Landwise were present to answer questions.</p>
<i>List the stakeholders and how they are impacted</i>	<p>Surrounding landowners/tenants of the subject lands. They will be impacted by the proposed activity and traffic.</p>
<i>Tools to be used to consult/engage the public</i>	<p>Open House invitations with an explanation of the proposed land use change and agent contact information were delivered to addresses within 120 metres of the Subject Lands. The mail-out included a link to SDI’s website with information for the proposed “Hamilton Italian Centre”, and agent’s e-mail and phone number for receiving comments. A Public Notice sign will be posted on the property once the application is deemed complete with City Planning staff.</p>
<i>Timing of consultation</i>	<p>For the Zoning By-law Amendment application, the Open House was held on Dec. 18, 2024, from 5pm to 7pm.</p>
<i>Method to receive and document comments</i>	<p>Comments were requested in the Open House invitation which provided the agent’s contact information.</p> <p>During the Open House, comment sheets were provided for those who wished to write their comments.</p>



**Appendix “D”: Public Consultation Strategy**  
**420 Crerar Drive, Hamilton**

	<p>All comments will be recorded and filed per our internal filing policies. Should additional public comments be received, they will be recorded and memo to provide an update to City Staff will be prepared and submitted to the City. All stakeholders are within 120 metres of the Subject Lands and will therefore be captured in the City’s public circulation of the Notice of Complete Application.</p>
<p><i>Proposed participants in consultation and their role(s).</i></p>	<p><b><u>Landowners/Applicants:</u> Sons and Daughters of Italy Crerar Corporation</b></p> <ul style="list-style-type: none"> <li>• Four (4) representatives were present at the Dec. 18, 2024, Neighbourhood Open House to answer questions and listen to members of the public’s concerns.</li> </ul> <p><b><u>Agents:</u> Landwise</b></p> <ul style="list-style-type: none"> <li>• Implemented the public consultation strategy.</li> <li>• Coordinated and documented the public consultation process.</li> <li>• Prepared and mailed out the letter that describes the reasons for the applications.</li> <li>• Provided general information on the planning process and policy framework.</li> <li>• To update the City accordingly.</li> </ul> <p><b><u>Other Consultants:</u></b></p> <p>Depending on the issues raised by Staff and through the initial City circulation of the Notice of Complete Application, other members of the project team may be included as subject-specific matters arise.</p>
<p><i>Requested City Resources</i></p>	<p>Not applicable.</p>
<p><i>Expected/Potential Issues</i></p>	<p>Most comments received thus far were from people who were interested in the programming proposed within the existing building and were positive about the proposed programming and amenities for seniors and people impacted by disabilities. A few comments received were concerned with generated traffic and building users.</p>

## Attachment A:

LIST OF ADDRESSES WITHIN 120 METRES

**Appendix "D": Public Consultation Strategy**  
**420 Crerar Drive, Hamilton**

Number	Unit #	Street Name	Postal Code
22		Distin Drive	L9B 2N8
1		Shadow Court	L9B 2N8
2		Shadow Court	L9B 2N1
5		Shadow Court	L9B 2N1
6		Shadow Court	L9B 2N1
9		Shadow Court	L9B 2N1
10		Shadow Court	L9B 2N1
14		Shadow Court	L9B 2N5
15		Shadow Court	L9B 2N5
18		Shadow Court	L9B 2N5
19		Shadow Court	L9B 2N5
22		Shadow Court	L9B 2N5
23		Shadow Court	L9B 2N2
26		Shadow Court	L9B 2N2
30		Shadow Court	L9B 2N2
34		Shadow Court	L9B 2N2
2		Aquila Place	L9B 2N2
3		Aquila Place	L9B 2N2
7		Aquila Place	L9B 2N2
356		Crerar Drive	L9B 2N2
357		Crerar Drive	L9B 2N2
360		Crerar Drive	L9B 2N2
361		Crerar Drive	L9B 2N2
364		Crerar Drive	L9B 2N2
365		Crerar Drive	L9B 2M9
368		Crerar Drive	L9B 2M9
369		Crerar Drive	L9B 2M9
372		Crerar Drive	L9B 2N5
376		Crerar Drive	L9B 2N5
377		Crerar Drive	L9B 2N5
381		Crerar Drive	L9B 2N5
385		Crerar Drive	L9B 2N5
389		Crerar Drive	L9B 2N5
393		Crerar Drive	L9B 2N2
397		Crerar Drive	L9B 2N2
401		Crerar Drive	L9B 2N2
405		Crerar Drive	L9B 2N2
409		Crerar Drive	L9B 2N2
410		Crerar Drive	L9B 2N2
413		Crerar Drive	L9B 2N2

## Appendix "D": Public Consultation Strategy

### 420 Crerar Drive, Hamilton

Number	Unit #	Street Name	Postal Code
417		Crerar Drive	L9B 2N2
421		Crerar Drive	L9B 2N2
425		Crerar Drive	L9B 2N2
429		Crerar Drive	L9B 2N2
433		Crerar Drive	L9B 1X5
441		Crerar Drive	L9B 1X5
445		Crerar Drive	L9B 1X5
449		Crerar Drive	L9B 1X5
1		Elk Court	L9B 1X5
2		Elk Court	L9B 1X5
5		Elk Court	L9B 1X5
22		Latorre Court	L9B 1X5
26		Latorre Court	L9B 1X3
30		Latorre Court	L9B 1X3
337	#101	Stone Church Road East	L9B 1X3
337	#102	Stone Church Road East	L9B 1X3
337	#103	Stone Church Road East	L9B 1X3
337	#104	Stone Church Road East	L9B 1X3
337	#105	Stone Church Road East	L9B 1X3
337	#106	Stone Church Road East	L9B 1X3
337	#107	Stone Church Road East	L9B 1X4
337	#108	Stone Church Road East	L9B 1X4
337	#109	Stone Church Road East	L9B 1X4
337	#110	Stone Church Road East	L9B 1X5
337	#111	Stone Church Road East	L9B 1X5
337	#112	Stone Church Road East	L9B 1X4
337	#113	Stone Church Road East	L9B 1X4
337	#114	Stone Church Road East	L9B 1X4
337	#115	Stone Church Road East	L9B 2N3
337	#116	Stone Church Road East	L9B 0A8
337	#201	Stone Church Road East	L9B 0A8
337	#202	Stone Church Road East	L9B 0A8
337	#203	Stone Church Road East	L9B 0A8
337	#204	Stone Church Road East	L9B 0A8
337	#205	Stone Church Road East	L9B 0A8
337	#206	Stone Church Road East	L9B 0A8
337	#207	Stone Church Road East	L9B 0A8
337	#208	Stone Church Road East	L9B 0A8
337	#209	Stone Church Road East	L9B 0A8
337	#210	Stone Church Road East	L9B 0A8

**Appendix “D”: Public Consultation Strategy**  
**420 Crerar Drive, Hamilton**

Number	Unit #	Street Name	Postal Code
337	#211	Stone Church Road East	L9B 0A8
337	#212	Stone Church Road East	L9B 0A8
337	#213	Stone Church Road East	L9B 0A8
337	#214	Stone Church Road East	L9B 0A8
337	#215	Stone Church Road East	L9B 0A8
337	#216	Stone Church Road East	L9B 0A8
337	#217	Stone Church Road East	L9B 0A8
337	#218	Stone Church Road East	L9B 0A8
337	#219	Stone Church Road East	L9B 0A9
337	#301	Stone Church Road East	L9B 0A9
311		Stone Church Road East	L9B 0A9
323		Stone Church Road East	L9B 0A9
327		Stone Church Road East	L9B 0A9
349		Stone Church Road East	L9B 0A9
353		Stone Church Road East	L9B 0A7
361		Stone Church Road East	L9B 0A7
367		Stone Church Road East	L9B 0A7
371		Stone Church Road East	L9B 0A7
375		Stone Church Road East	L9B 0A7
381		Stone Church Road East	L9B 0A7
385		Stone Church Road East	L9B 0A7
1		Timothy Place	L9B 0A7
2		Timothy Place	L9B 0A7
3		Timothy Place	L9B 0A7
6		Timothy Place	L9B 0A7
7		Timothy Place	L9B 2N3
10		Timothy Place	L9B 2M9
11		Timothy Place	L9B 2N3
14		Timothy Place	L9B 2N3
15		Timothy Place	L9B 2N3
18		Timothy Place	L9B 2N3
19		Timothy Place	L9B 2N3
22		Timothy Place	L9B 2N3
23		Timothy Place	L9B 2N3
26		Timothy Place	L9B 2M9
27		Timothy Place	L9B 2M9
30		Timothy Place	L9B 2M9
34		Timothy Place	L9B 2M9
22		Distin Drive	L9B 2M9
1		Shadow Court	L9B 2M9

**Appendix "D": Public Consultation Strategy**  
**420 Crerar Drive, Hamilton**

Number	Unit #	Street Name	Postal Code
2		Shadow Court	L9B 2M9
5		Shadow Court	L9B 2M9
6		Shadow Court	L9B 2M9
9		Shadow Court	L9B 2M9
10		Shadow Court	L9B 2M9
14		Shadow Court	L9B 2M9
15		Shadow Court	L9B 0A8
18		Shadow Court	L9B 0A8
19		Shadow Court	L9B 0A8
22		Shadow Court	L9B 0A8
23		Shadow Court	L9B 0A8
26		Shadow Court	L9B 0A8
30		Shadow Court	L9B 0A7
34		Shadow Court	L9B 0A7
2		Aquila Place	L9B 0A7
3		Aquila Place	L9B 0A7
7		Aquila Place	L9B 0A7
356		Crerar Drive	L9B 0A7
357		Crerar Drive	L9B 0A7
360		Crerar Drive	L9B 2V2
361		Crerar Drive	L9B 2V2
364		Crerar Drive	L9B 2V2
365		Crerar Drive	L9B 2V2
368		Crerar Drive	L9B 2V2
369		Crerar Drive	L9B 2V2
372		Crerar Drive	L9B 2V2
376		Crerar Drive	L9B 2V2
377		Crerar Drive	L9B 2V2
381		Crerar Drive	L9B 2V2
385		Crerar Drive	L9B 2V2
389		Crerar Drive	L9B 2M9
393		Crerar Drive	L9B 0A7
397		Crerar Drive	L9B 0A7
401		Crerar Drive	L9B 0A7
405		Crerar Drive	L9B 0A7
409		Crerar Drive	L9B 0A7
410		Crerar Drive	L9B 2V4
413		Crerar Drive	L9B 2V4
417		Crerar Drive	L9B 2V4
421		Crerar Drive	L9B 2V4

**Appendix "D": Public Consultation Strategy**  
**420 Crerar Drive, Hamilton**

Number	Unit #	Street Name	Postal Code
425		Crerar Drive	L9B 2N3
429		Crerar Drive	L9B 2N3
433		Crerar Drive	L9B 2N3
441		Crerar Drive	L9B 2N3
445		Crerar Drive	L9B 2N3
449		Crerar Drive	L9B 2N4
1		Elk Court	L9B 1X2
2		Elk Court	
3		Elk Court	
6		Latorre Court	
7		Latorre Court	
10		Latorre Court	
11		Stone Church Road East	
14		Stone Church Road East	
15		Stone Church Road East	
18		Stone Church Road East	
19		Stone Church Road East	
22		Stone Church Road East	
23		Stone Church Road East	
26		Stone Church Road East	
27		Stone Church Road East	
30		Stone Church Road East	
34		Stone Church Road East	

## Attachment B:

RECORD OF NOTIFICATION TO WARD COUNCILLOR AND MANAGER OF DEVELOPMENT  
PLANNING



**From:** Hy Nguyen <[hy.nguyen@landwise.ca](mailto:hy.nguyen@landwise.ca)>

**Sent:** Thursday, December 5, 2024 4:02 PM

**To:** Pauls, Esther

**Cc:** Milovanov, Zora; Edward John

**Subject:** 420 Crerar Dr. Open House Invitation

Page 13 of 22

**External Email:** Use caution with links and attachments

Hello Councillor Pauls,

We are pleased to invite to you the Sons and Daughters of Italy's Community Open House for 420 Crerar Drive, Hamilton.

Date: Thursday, December 18, 5-7pm

Location: 420 Crerar Drive, Hamilton, on the 2nd level

Please find the invitation attached with additional details. We thank you and your office for the support and coordination.

We hope to see you there!

Best regards,



**Hy Nguyen** (*She/Her*)  
Planning Technician

**LANDWISE**  
310 Limeridge Road West, Suite 6  
Hamilton ON L9C 2V2  
E: [hy.nguyen@landwise.ca](mailto:hy.nguyen@landwise.ca)  
P: 905.574.1993 Ext. 206



Please note our office will be closed as of 4:00pm on December 20th, 2024 and will be reopening bright and early January 2nd, 2025.

DISCLAIMER: This email message and/or its attachment(s) are CONFIDENTIAL, proprietary information of LANDWISE. It is intended solely for the named recipients(s) listed above and should be maintained in strictest confidence. If you are not the intended recipient, any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you have received this email in

**From:** Hy Nguyen [REDACTED]  
**Sent:** Thursday, December 5, 2024 4:04 PM  
**To:** Gajjar, Shaival <[REDACTED]> Skidmore, Spencer <[REDACTED]>  
**Cc:** Edward John <[REDACTED]>  
**Subject:** 420 Crerar Dr. Open House Invitation

**External Email:** Use caution with links and attachments

Hello Shaival and Spencer,

We are pleased to invite to you the Sons and Daughters of Italy's Community Open House for 420 Crerar Drive, Hamilton. As a reminder, the proposed Private Club to be located at 420 Crerar Dr. has completed Formal Consultation (file no. FC-24-062) in October, and we are looking to submit the Zoning By-law Amendment application before the holidays.

**Date:** Thursday, December 18, 5-7pm

**Location:** 420 Crerar Drive, Hamilton, on the 2nd level (Music Room)

Please find the invitation attached with additional details and feel free to share with any other relevant colleagues. We hope to see you there.

Best regards,

<image002.png> **Hy Nguyen** (*She/Her*)  
Planning Technician

**LANDWISE**  
310 Limeridge Road West, Suite 6  
Hamilton ON L9C 2V2  
E: [hy.nguyen@landwise.ca](mailto:hy.nguyen@landwise.ca)  
P: 905.574.1993 Ext. 206

<image003.png>

Please note our office will be closed as of 4:00pm on December 20th, 2024 and will be reopening bright and early January 2nd, 2025.

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## Attachment C:

DECEMBER 18, 2024, PUBLIC CONSULTATION MATERIALS

On behalf of Sons & Daughters of Italy Hamilton, you are **INVITED** to a

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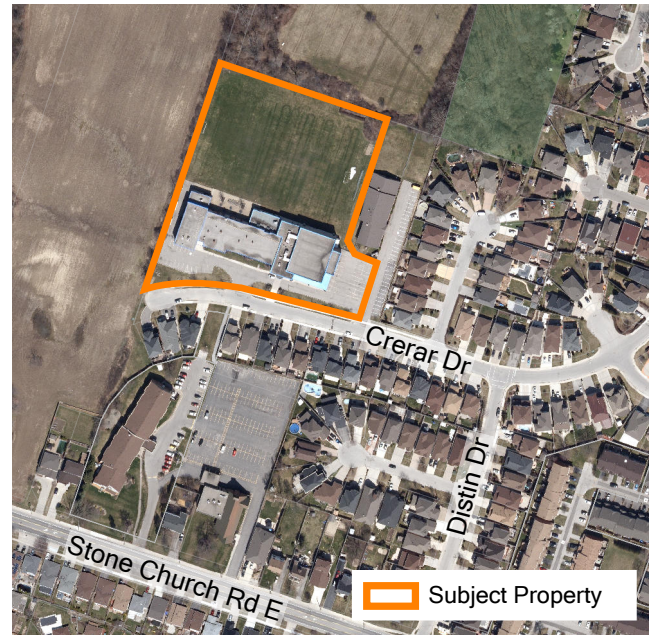
# COMMUNITY OPEN HOUSE

**WHEN:** Wednesday December 18, 2024  
5PM - 7PM

**WHERE:** Music Room, 2nd Floor  
(accessible by elevator)  
420 Crerar Drive  
Hamilton, ON L9A 5K3

**FORMAT:** Drop-in with informational boards.

**SUBJECT** 420 Crerar Drive (Hamilton Italian Centre)  
**PROPERTY:** Hamilton, ON L9A 5K3



**PROPOSED CHANGE:** The Sons and Daughters of Italy Hamilton (SDI) are proposing to re-adapt the current building on 420 Crerar Drive into a community hub, the Hamilton Italian Centre. This will help centralize operations and provide a range of community services and amenities for SDI members. To facilitate full programming capabilities, a Zoning By-law Amendment is required to introduce a 'Private Club' use on the property. There is no new development proposed, except for minor exterior building upgrades and internal building changes.

The purpose of this Open House is to provide an opportunity for you to learn more about the proposed change in use. Sons and Daughters of Italy Hamilton and their consultants will be available for you to ask questions and share your comments in advance of the Zoning By-Law Amendment application being filed with the City of Hamilton. The City will hold the required Statutory Public Meeting at a later date and notice will be provided.



For more information about the project, you can visit  
[www.sonsofitalyhamilton.org/communitycentre](http://www.sonsofitalyhamilton.org/communitycentre)

If you have questions in advance of the meeting or would like to submit comments,  
please contact Edward John by email: [connect@landwise.ca](mailto:connect@landwise.ca) or by phone: **905.574.1993 ext. 202**

# Welcome

to your NEIGHBOURHOOD

# OPEN HOUSE

for 420 Crerar Drive

**December 18, 2024, 5:00PM - 7:00PM**

Please sign in and take a comment sheet.

**We want to hear from you!**

- Fill out a comment sheet
- Chat with our team tonight
- Email [connect@landwise.ca](mailto:connect@landwise.ca)





## Who is Sons and Daughters of Italy?

- Community organization focused on promoting Italian heritage and values
- Mission includes service, charity, and community involvement
- Contributes to charities, provides affordable housing through its Housing Corporation, and operates Villa Italia Retirement Residence

## Proposed Zoning By-law Amendment

The proposed **Zoning By-law Amendment** will permit a “Private Club” on 420 Crerar Drive to implement the *Hamilton Italian Centre*.

### What is a Zoning By-law?

A Zoning By-law is how municipalities, such as the City of Hamilton, regulates land use. It specifies permitted property uses and outlines technical building requirements, such as minimum lot area, building setbacks, and height.

### Why is this application required?

The zoning for 420 Crerar Dr is currently “Community Institutional (I2) Zone”, which does not allow the “Private Club” use. A request will be submitted to add the “Private Club or Lodge” to this property as an exception to facilitate the *Hamilton Italian Centre*.

## Proposed Development



Building footprint, site layout and landscaping to remain unchanged



Upgrades to doors and windows



Internal building layout changes proposed - no new additions proposed



Long-term bicycle parking spaces proposed internal to the building to promote active transportation

## The Hamilton Italian Centre will:

- 1 Allow Sons and Daughters of Italy Hamilton to centralize operations
- 2 Be a cultural centre and community hub
- 3 Offer programming and amenities
- 4 Repurpose and revitalize an existing building

## What Programming and Amenities will be offered?

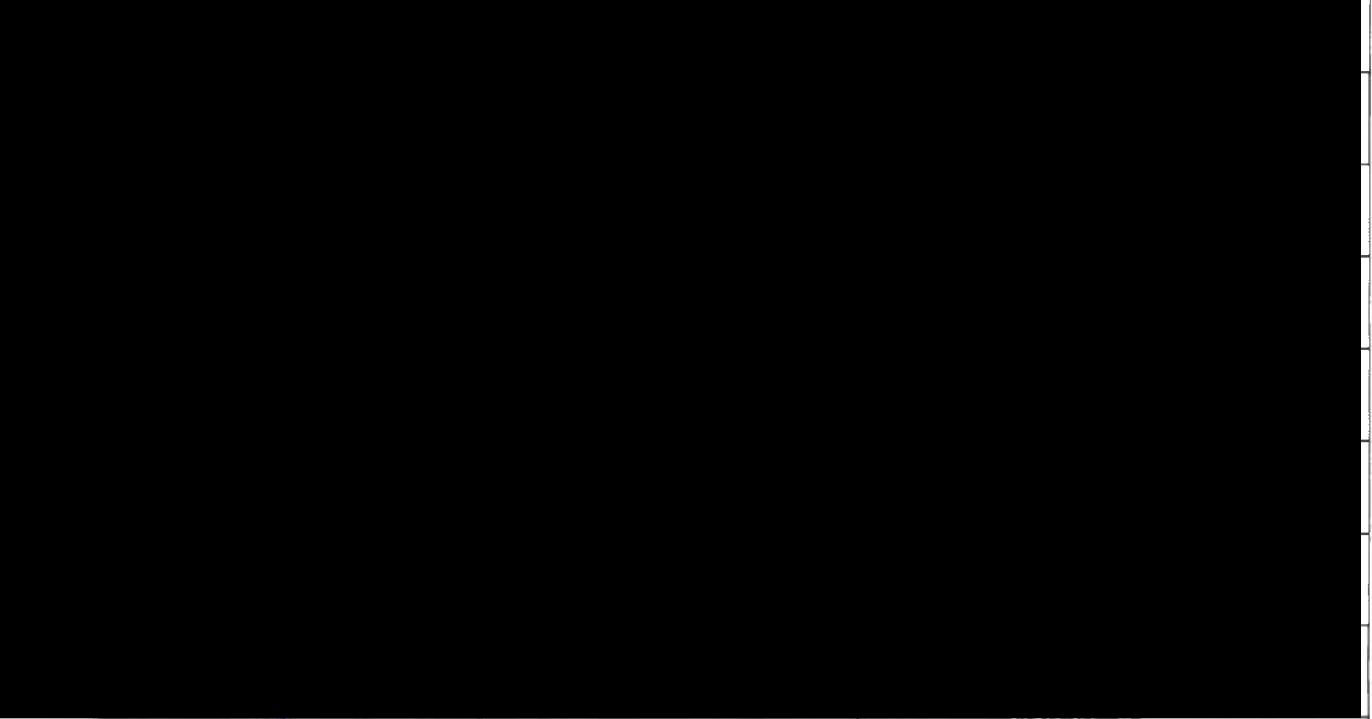
- Daycare with YWCA
- Seniors programming with Villa Italia
- Day programs for young adults with disabilities
- Support for individuals and families impacted by Down Syndrome
- Cultural programming, such as cooking, choir, language lessons

December 18, 2024

## PLEASE SIGN IN

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Community Open House | 420 Crerar Drive

NAME	EMAIL	PHONE NUMBER	ADDRESS
Kathleen deGraaf			
Beverley Jones			
PAUL GASPARIN			
John Savoia			
DAVID KURCEBA			
CARLO SILVESTRI			
<del>A. Jones</del>			
DAVID CASTELLANA			

December 18, 2024

# PLEASE SIGN IN

Page 20 of 22

Community Open House | 420 Crerar Drive

[illegible]





## COMMENT SHEET

We would appreciate your comments and/or questions. Please feel free to leave this sheet with us this evening, email your comments to us at [connect@landwise.ca](mailto:connect@landwise.ca), call us at 905-574-1993 ext. 202, or return by mail to:

**Landwise**  
 Attention: Edward John  
 310 Limeridge Road West, Suite 6  
 Hamilton, ON L9C 2V2

Name: \_\_\_\_\_

Address: \_\_\_\_\_

### Concerns

- ① Residential area - should not have liquor license  
 - future plans may include stages, wedding - totally against this
- ② Traffic - Constant all day - day programs though not an issue  
 - private rentals have been a problem - cannot get out of our driveway - no room for visitors  
 what will happen once residential plan for end of crerar is built 450 - 700 units & only 1 exit is being added.  
 - soccer tournaments increase the traffic & parking
- ③ Noise from traffic - can be a problem

Traffic is main 1500 & people will  
not let us out of driveway  
when it is busy.

&  
possibility of liquor license  
in the future.

**Appendix H to Report PED25073****Page 1 of 1****Proposed Site Specific Modifications to the Community Institutional (I2, 925) Zone**

<b>Provision</b>	<b>Required</b>	<b>Requested Amendment</b>	<b>Analysis</b>
Section 8.2.1 – Permitted Uses	A Private Club or Lodge is not a permitted use.	A Private Club or Lodge is a permitted use.	<p>The proposed addition of a Private Club or Lodge through the adaptive reuse of a former school as another public service facility supports healthy, integrated, and complete communities that optimize existing infrastructure and public service facilities and supports convenient access to services and recreation for neighbourhood residents. The applicant has also demonstrated that the proposed use is compatible with the surrounding neighbourhood through the submitted technical materials.</p> <p>Staff support this modification.</p>
Section 8.2.3.2 – Educational Establishment, Museum and Recreation Regulations	<p>Minimum Yard – 6.0 metres where lot line abuts a Residential Zone lot line.</p> <p>Maximum Building Height – 10.5 metres; may be equivalently increased as yard increases beyond minimum yard requirement.</p> <p>Parking and Accessory Buildings in accordance with the requirements of this By-law.</p>	Shall apply to a Private Club or Lodge.	<p>As a Private Club or Lodge is not currently a permitted use in the I2 Zone, there are currently no performance standards in the I2 Zone regulating the use. This modification applies the regulations applicable to Educational Establishments, Museums and Recreation Facilities to a Private Club or Lodge. This will ensure that should the lands be redeveloped as a Private Club or Lodge in the future, or should an expansion be proposed, there will be zoning performance standards in place to regulate the use.</p> <p>Staff support this modification.</p>

**Appendix I to Report PED25073**  
**Page 1 of 3**

**CONSULTATION – PUBLIC COMMENTS**

Public Comment Summary	Staff Response
Impacts related to an increase in traffic generated by the proposed development.	The submitted Trip Generation Letter, prepared by Paradigm Transportation Solutions Limited dated December 20, 2024, concludes that automotive trips generated by the proposed Private Club or Lodge will be significantly less than what was generated by the previous educational establishment, with the exception of the Saturday peak hour, where a slight increase is anticipated as the previous school did not operate on weekends. Transportation Planning staff reviewed the submitted Trip Generation Letter and concur with its findings and support the Zoning By-law Amendment application. Accordingly, no adverse impacts associated with traffic are anticipated.
Impacts related to the adequacy of the provision of on-site parking for the proposed development.	The applicant is not requesting any modifications to the required parking under the Zoning By-law and has submitted a Trip Generation Letter, prepared by Paradigm Transportation Solutions Limited dated December 20, 2024, demonstrating that the proposal is compatible from a traffic and on-site parking perspective. The applicant has also indicated that they have secured informal written agreements with the neighbouring property at 410 Crerar Drive, which provides 34 parking spaces, and with the Cornerstone church located at 353 Stone Church Road East, which provides 143 parking spaces. This will help further mitigate any parking spillover and impacts on the surrounding neighbourhood during peak parking demand events/hours. Accordingly, no adverse impacts associated with parking are anticipated.
Clarification on the proposed use and whether the lands can be used as a conference or convention centre and obtain a liquor license.	The proposed Private Club or Lodge is a defined term within Zoning By-law No. 05-200, which is a similar use to the previous Education Establishment. It is intended to be used as a space for the Sons and Daughters of Italy to operate and provide their programs. Please note that there is separate a definition in our by-law for “Conference or Convention Centre”, which is not proposed to be added. Planning Staff are unable to provide guidance on whether a liquor license would be granted if the owners were to apply in the future.

**Appendix I to Report PED25073**  
**Page 2 of 3**

February 7, 2025

[REDACTED]

Hamilton, Ontario L9A 5K3

RE: 420 Crerar Drive, Hamilton – Rezoning from Community Institutional (12) Zone to Community Institutional (Zone 12,xxx) Zone

**Concerns****Liquor License**

- Does this new zoning allow for a liquor licence? Will a liquor license be given? This is a residential area and as such should not even be considered. What is a private club? Does this include bar, conference centre and/or banquet centre? Is this the ultimate goal? This would be very inappropriate for a residential area. There is also a plan approved for the west end of Crerar which allows for over 500 units to be built.

**Parking**

- There is already increased traffic evenings and weekends from rentals of gym and soccer fields. Parking lot cannot accommodate the increase number of cars and overflow to street occurs. At times the cars block the street and it can be impossible to back out of driveways. Presently it is a dead-end street and multiple cars end up having to turn around at the end. There is no signage and there can be traffic jams. Once the development at end of street happens the increased traffic will be dangerous. Only one additional exit will be added and this obviously is not enough.
- The school used to have events on the weekends as well but the students and parents were not allowed to park on the streets and usually respected this. They had parking at the church.

I would just like to express the request to accept my concerns. The letter from the city planning department was dated January 24, 2025. It was received February 5, 2025.

Thank you for considering my concerns

Nancy Wakefield [REDACTED]

David Kurceba [REDACTED]

**Appendix I to Report PED25073**  
**Page 3 of 3****Skidmore, Spencer**

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**From:** [REDACTED]  
**Sent:** Tuesday, February 4, 2025 4:27 PM  
**To:** Skidmore, Spencer  
**Subject:** Zoning By-law Amendment

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

External Email: Use caution with links and attachments

To Spencer Skidmore,

My comments on the change to zoning.

Sons and Daughters of Italy Crerar need to address parking issues on neighborhood when they have a large event as they had last year.

They need to control parking on neighboring property. They took all available street parking and were parking in the grass of the teachers college.

I suggest they rent parking off the church that was affiliated with the property in the past . There is a walkway right to their front door.

Any questions feel free to contact me.

Regards,  
John Rodgers

Sent from my iPhone



WELCOME TO THE CITY OF HAMILTON

# PLANNING COMMITTEE

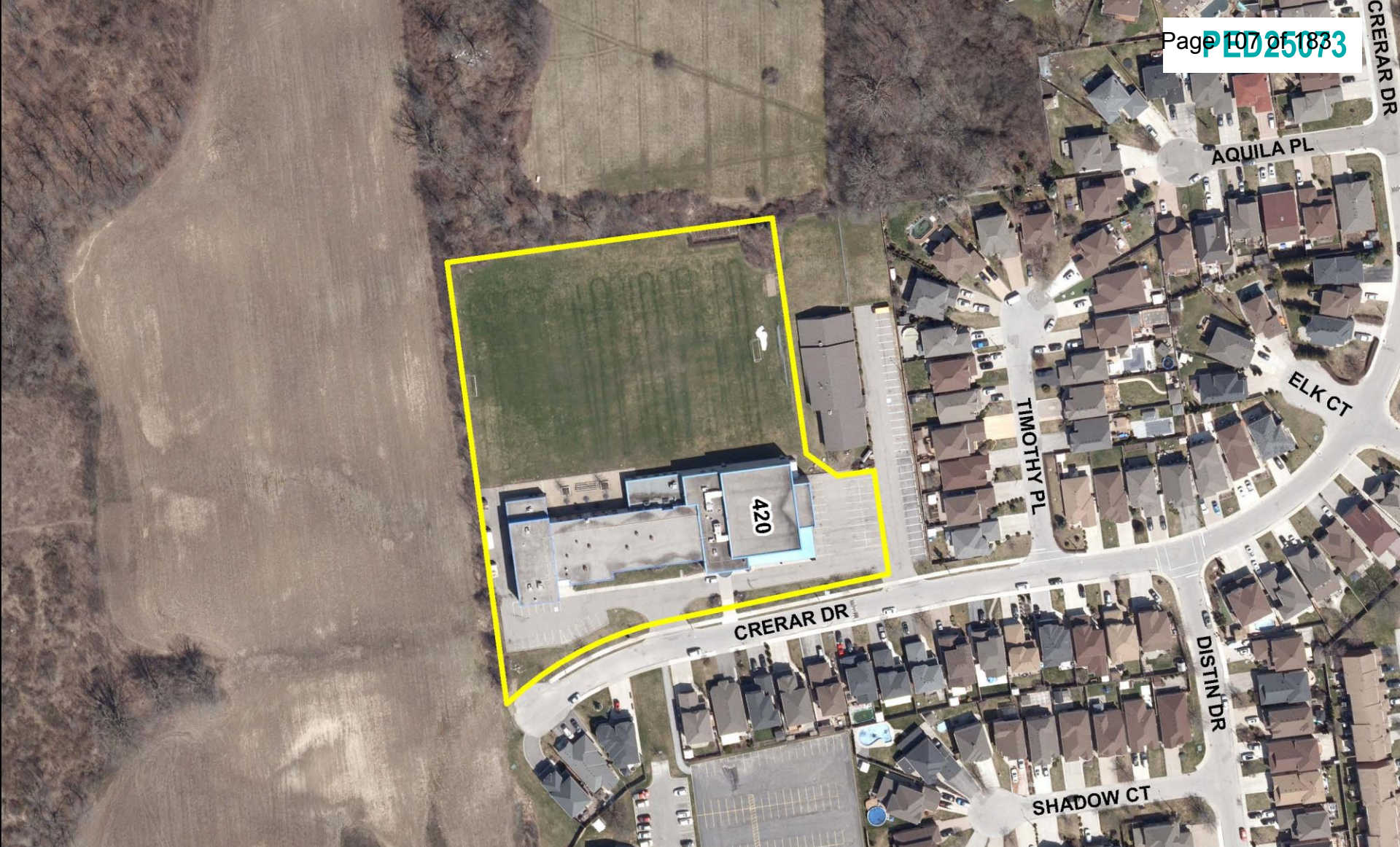
March 18, 2025

## PED25073 – (ZAC-25-005)

Application for a Zoning By-law Amendment for Lands Located at  
420 Crerar Drive, Hamilton .

Presented by: Spencer Skidmore



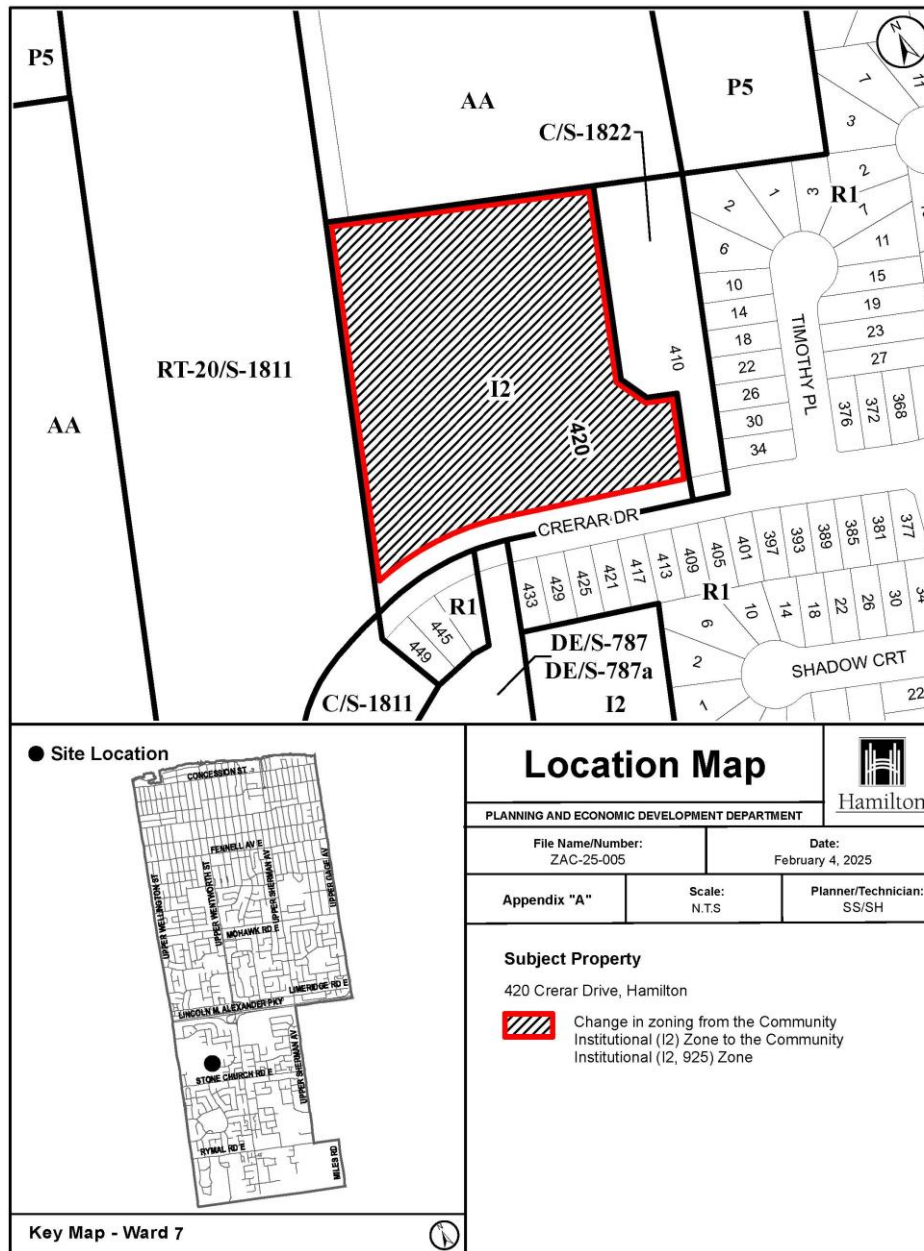


SUBJECT PROPERTY

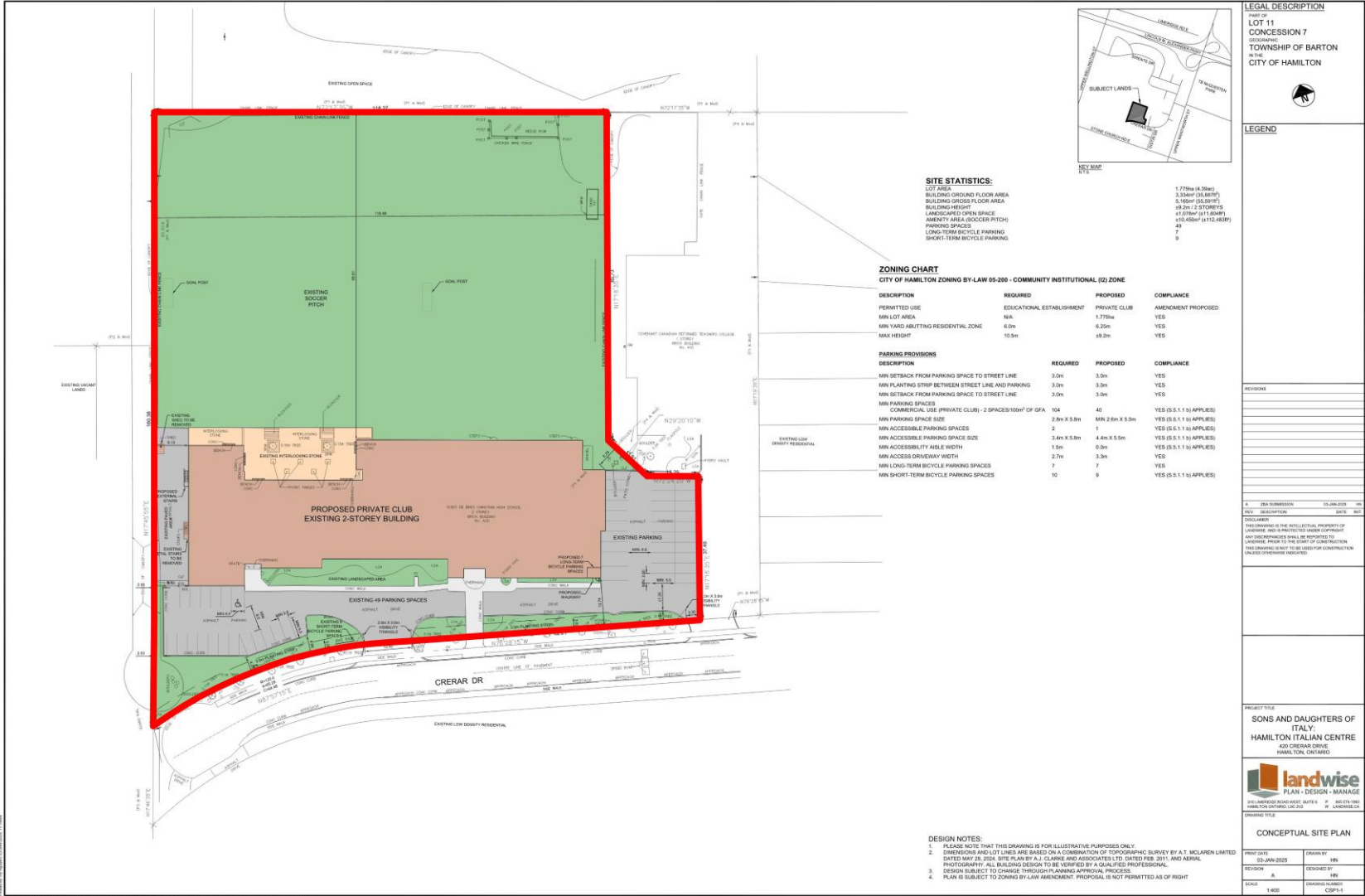


420 Crerar Drive, Hamilton











420 Crerar Drive - Building to Be Adaptively Reused





420 Crerar Drive - Facing East Down Crerar Drive





Lands to the East - 410 Crerar Drive (Teachers College)





420 Crerar Drive - Lands to The South Opposite Crerar Drive





420 Crerar Drive - Facing West Down Crerar Drive





420 Crerar Drive - Recreational Area to The North and Adjacent Open Space



# THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



## City of Hamilton Report for Consideration

<b>To:</b>	Chair and Members of Planning Committee
<b>Date:</b>	March 18, 2025
<b>Report No:</b>	PED25067
<b>Subject/Title:</b>	Application for an Official Plan Amendment for Lands Located at 804 to 816 King Street West, Hamilton
<b>Ward(s) Affected:</b>	Ward 1

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### Recommendations

1. That **Official Plan Amendment Application UHOPA-24-012, by WEBB Planning Consultants (c/o James Webb) on behalf of Gateway Development Group Inc. (c/o Anthony Quattrociocchi), Owner**, to modify “Site Specific Policy – Area J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare, for lands located at 804 to 816 King Street West, as shown on Appendix A attached to Report PED25067, **BE APPROVED** on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix B to Report PED25067, be adopted by City Council; and,
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Planning Statement (2024).

### Key Facts

- The purpose of the application is to amend “Site Specific Policy – Area J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare within a six storey mixed use building.
- The proposed development consists of a six storey mixed use building containing 68 dwelling units, approximately 290 square metres of commercial space on the

**Application for an Official Plan Amendment for Lands Located at 804 to 816 King  
Street West, Hamilton (Ward 1)  
Page 2 of 6**

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ground floor, and 19 surface parking spaces. The existing commercial buildings will be demolished.

- The subject lands are designated “Mixed Use - Medium Density” on Schedule E-1 – Urban Land Use Designations, and further designated “Mixed Use - Medium Density, Site Specific Policy – Area J” on Ainslie Wood Westdale Secondary Plan Map B.6.2-1 – Land Use Plan Map. The subject lands are zoned Mixed Use Medium Density (C5, 732) Zone.
- The owner requires the Urban Hamilton Official Plan Amendment to accommodate interior design modifications that will increase the number of dwelling units and the density. The original development concept approved in April 2021 intended to provide student accommodations in the form of 122 bedrooms within 21 dwelling units, which resulted in a density of 176 residential dwelling units per gross hectare. The revised concept is for a mixed use building with ground floor commercial and a total of 68 dwelling units provided through a mix of studio, one bedroom and two bedroom units and results in a density of 380 residential dwelling units per gross hectare.
- Staff recommends approval of the proposed Official Plan Amendment as shown in Appendix B attached to Report PED25067.

## **Financial Considerations**

Not applicable.

## **Analysis**

The subject lands are municipally known as 804 to 816 King Street West, Hamilton and are located on the northeast corner of King Street West and Paradise Road North. The subject lands are approximately 0.17 hectares in size and are rectangular in shape with frontage along King Street West and Paradise Road North, having vehicular access from Paradise Road North only. The proposed development is for a six storey mixed use building with 68 dwelling units that will provide a mix of one, two and three bedroom units with commercial on the ground floor.

An Urban Hamilton Official Plan Amendment is required to accommodate interior design modifications that will increase the total number of dwelling units on the subject lands, resulting in an increased density of 380 residential dwelling units per gross hectare where 176 residential dwelling units per gross hectare is currently permitted. A Zoning By-law Amendment is not required to facilitate the development as the performance standards do not regulate density and the building envelope permitted by the Zoning By-law can accommodate the proposed interior modifications. A Minor Variance application is anticipated to address parking deficiencies that will align with the current regulations of Zoning By-law No. 05-200.

**Application for an Official Plan Amendment for Lands Located at 804 to 816 King  
Street West, Hamilton (Ward 1)  
Page 3 of 6**

A full review of the applicable Provincial Planning Statement (2024), Urban Hamilton Official Plan, and Ainslie Wood Westdale Secondary Plan policies is provided in Appendix E attached to Report PED25067.

### **Provincial Planning Statement (2024)**

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposed development has been reviewed against the Provincial Planning Statement (2024). A full policy analysis of the applicable Provincial Planning Statement (2024) policies is provided in Appendix E attached to Report PED25067.

The proposed development will provide a range of housing types and achieve the planned urban structure of the Urban Hamilton Official Plan. The compact, efficient built form provides increased density that will support the use of existing and planned transit and commercial uses and represents an appropriate development of the site which will contribute to a complete community. The proposed development is located within proximity to existing parks and schools and has access to the existing transit network, contributing to the achievement of the overall goals within the Provincial Planning Statement (2024).

Based on the foregoing, the proposal is:

- Consistent with Section 3 of the *Planning Act*; and,
- Consistent with the Provincial Planning Statement (2024).

### **Urban Hamilton Official Plan and Ainslie Wood Westdale Secondary Plan**

The subject lands are identified as “Primary Corridor” on Schedule E – Urban Structure and designated “Mixed Use - Medium Density” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. The subject lands are further designated “Mixed Use – Medium Density” on Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan Land Use Plan Map. A full policy analysis of the applicable Urban Hamilton Official Plan policies is provided in Appendix E attached to Report PED25067.

The purpose of the Urban Hamilton Official Plan Amendment is to modify “Site Specific Policy – Area J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare within a six storey mixed use building, as a result of the proposed increase to 68 dwelling units.

“Site Specific Policy – Area J” was created through Official Plan Amendment No. 146 in April 2021 to permit a six storey building intended for student accommodation. Planning



**Application for an Official Plan Amendment for Lands Located at 804 to 816 King  
Street West, Hamilton (Ward 1)**  
**Page 4 of 6**

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applications included an Official Plan Amendment (OPA-U-146), Zoning By-law Amendment (ZAC-19-009), and Site Plan Control (DA-21-117) to create specific modifications for building height, rear and side yard setbacks, vehicle parking requirements, and bicycle parking requirements. Conditional Site Plan approval (DA-21-117) was issued in November 2021.

The original development concept approved in April 2021 intended to provide student accommodations in the form of 122 bedrooms within 21 dwelling units, which resulted in a density of 176 residential dwelling units per gross hectare. The revised concept is for a mixed use building with ground floor commercial and a total of 68 dwelling units provided through a mix of studio, one bedroom and two bedroom units. The revised development proposal results in a density of 380 residential dwelling units per gross hectare. The Urban Hamilton Official Plan Amendment is required to permit the increased density on the subject lands.

The built form along the Urban Corridors shall generally consist of low to mid rise forms and will vary in some areas with higher densities. Areas identified as “Primary Corridor” are intended to have a greater proportion of the corridor length provide commercial uses in a mixed use built form. The “Mixed Use – Medium Density” designation is intended to support urban nodes and corridors and create a vibrant and viable mix of uses.

The proposed mixed use building in the “Mixed Use – Medium Density” designation is assessed under the applicable policies of the Ainslie Wood Westdale Secondary Plan as outlined in Appendix E attached to Report PED25067. The proposed modifications to “Site Specific Policy – Area J” are supported by both the “Primary Corridor” and “Mixed Use – Medium Density” policies. The proposed maximum density of 380 residential units per gross hectare to permit 68 dwelling units can be supported as the proposed development meets the criteria to permit additional density within a compact built form.

The proposed development contains a mix of unit sizes, and incorporates sustainable building and design principles, which will be implemented through a future Site Plan Control application. The proposal complies with the intent of the Urban Hamilton Official Plan to locate higher density development along a primary transit corridor. Hamilton Street Railway operates bus routes 01 King, 05 Delaware, 06 Aberdeen, 10 B-Line Express, and 51 University on King Street West. In addition, King Street West has been identified as a potential rapid transit route, with a planned Light Rail Transit route, B Line. Churchill Park, Coronation Park, Cootes Paradise Elementary School, and Westdale Secondary School are located within walking distance, approximately 200 to 500 metres of the subject lands. The height of the proposed development is permitted by the Urban Hamilton Official Plan and site specific zoning.

Based on the foregoing, the proposal complies with the Urban Hamilton Official Plan and Ainslie Wood Westdale Secondary Plan upon adoption of the Official Plan Amendment.

**Application for an Official Plan Amendment for Lands Located at 804 to 816 King  
Street West, Hamilton (Ward 1)  
Page 5 of 6**

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

The subject lands are zoned Mixed Use Medium Density (C5, 732) Zone in City of Hamilton Zoning By-law No. 05-200. The proposed development complies with the existing zoning and therefore does not require a Zoning By-law Amendment application. The building footprint is not proposed to change to accommodate the proposed interior modifications and complies with the site specific regulations that apply to the subject lands. The Zoning By-law does not regulate the density on the subject lands, however, Site Specific Policy – Area J of the Ainslie Wood Westdale Secondary Plan permits a maximum density of 176 residential dwelling units per gross hectare. A future Minor Variance application will be required to align the required parking within the Parking Regulation Area 1 requirements of Zoning By-law No. 05-200.

### **Rationale For Recommendation**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Planning Statement (2024);
  - (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan and Ainslie Wood Westdale Secondary Plan; and,
  - (iii) It is compatible with the existing land uses in the immediate area, it represents good planning by, among other things, providing a compact and efficient urban form, provides additional housing units and commercial uses in the area, achieves the planned urban structure, and supports developing a complete community.
2. Urban Hamilton Official Plan Amendment

The purpose of the Official Plan Amendment application is to modify “Site Specific Policy – Area J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare within a six storey mixed use building, resulting in a total of 68 dwelling units.

The proposed maximum density of 380 residential units per gross hectare to permit 68 dwelling units can be supported as the proposed development meets the criteria to permit additional density within a compact built form. The proposed development contains a mix of unit sizes, and incorporates sustainable building and design principles, which will be implemented through the Site Plan Control application.

The proposal achieves the goals of the Urban Hamilton Official Plan such as the intent to locate higher density development along a primary transit corridor.

Based on the foregoing and the analysis provided in Appendix E of Report PED25067, staff supports the proposed Official Plan Amendment.

**Application for an Official Plan Amendment for Lands Located at 804 to 816 King  
Street West, Hamilton (Ward 1)  
Page 6 of 6**

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## **Alternatives**

Should the application be denied, the subject lands can be used in accordance with the Mixed Use Medium Density (C5, 732) Zone in City of Hamilton Zoning By-law No. 05-200.

## **Relationship to Council Strategic Priorities**

Priority 1: Sustainable Economic & Ecological Development

- 1.2: Facilitate the growth of key sectors.

Priority 2: Safe & Thriving Neighbourhoods

- Increase the supply of affordable and supportive housing and reduce chronic homelessness.

## **Consultation**

The application was circulated to internal departments and external agencies. Refer to comment summary and response provided in Appendix F attached to Report PED25067.

In addition to the requirements of the *Planning Act*, the applicant submitted a Public Consultation Strategy with the supporting materials. A letter outlining the development application with request for public feedback was distributed to 110 properties located within 120 metres of the subject lands on November 9, 2024, and November 10, 2024, to which one response was received seeking additional information regarding construction timing after a decision has been made. Planning staff have not received public comments regarding the application.

## **Appendices and Schedules Attached**

Appendix A: Location Map

Appendix A1: Existing Land Use and Zoning Chart

Appendix B: Amendment to Urban Hamilton Official Plan

Appendix C: Historical Background and Report Fact Sheet

Appendix D: Concept Plan

Appendix E: Policy Review

Appendix F: Staff and Agency Comments

### **Prepared by:**

Yomna Serag Eldin, Senior Planner  
Planning and Economic Development Department,

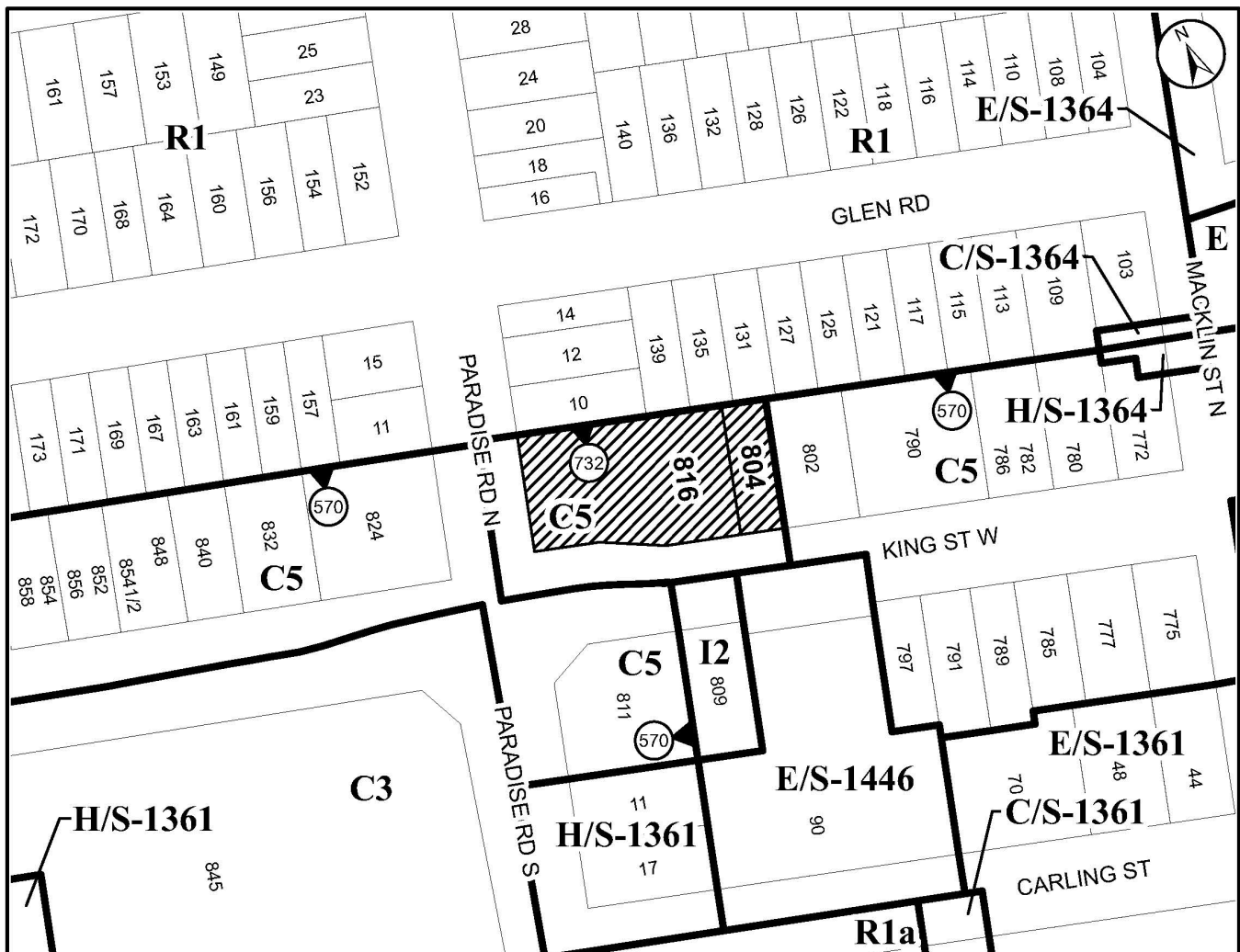
### **Submitted and recommended by:**

Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development Department



## Appendix A to Report PED25067

Page 1 of 1



## ● Site Location



Key Map - Ward 1

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
UHOPA-24-012Date:  
February 10, 2025

Appendix "A"

Scale:  
N.T.S.Planner/Technician:  
TN/SH

## Subject Property



804 to 816 King Street West, Hamilton

**Appendix A1 to Report PED25067****Page 1 of 1**

## Existing Land Use and Zoning

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Commercial buildings and surface parking.	Mixed Use Medium Density (C5, 732) Zone.
<b>Surrounding Lands:</b>		
North	Single detached dwellings.	Low Density Residential (R1) Zone.
South	Commercial building and multiple dwellings.	Mixed Use Medium Density (C5, 570), Community, Institutional (I2) Zone, and "E/S-1446" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified.
East	Multiple dwellings.	Mixed Use Medium Density (C5, 570) Zone.
West	Commercial building.	Mixed Use Medium Density (C5, 570) Zone.

**Schedule “1”**

## **Draft Urban Hamilton Official Plan Amendment No. X**

The following text, attached hereto, constitutes Official Plan Amendment No. “X” to the Urban Hamilton Official Plan.

### **1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to modify Site Specific Policy – Area J within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density to permit the development of a six storey mixed use building with a maximum density of 380 residential units per gross hectare.

### **2.0 Location:**

The lands affected by this Amendment are known municipally as 804 to 816 King Street West, in the former City of Hamilton.

### **3.0 Basis:**

The basis for permitting this Amendment is:

- The proposed development supports the policies of the Urban Hamilton Official Plan and the Ainslie Wood Westdale Secondary Plan, as it supports the achievement of a complete community and is in proximity to existing community facilities and/or services including public transit, schools, and recreational facilities.
- The proposed development implements the Residential Intensification policies of the Urban Hamilton Official Plan.
- The proposed development is compatible with the existing and planned development in the immediate area.
- The Amendment is consistent with the Provincial Planning Statement, 2024.

#### **4.0 Actual Changes:**

#### **4.2 Volume 2 – Secondary Plans**

##### **Text**

##### **4.1.1 Chapter B.6.0 – Hamilton Secondary Plans – Section B.6.2 – Ainslie Wood Westdale Secondary Plan**

- a. That Volume 2: Chapter B.6.0 – Hamilton Secondary Plans, Section B.6.2 – Ainslie Wood Westdale Secondary Plan, Policy B.6.2.17.11 b) be amended by:
  - i. Deleting the number “176” after the phrase “maximum residential density shall be” and replacing it with “380”.

#### **5.0 Implementation:**

An implementing Site Plan Approval will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. \_\_\_\_\_ passed on the \_\_\_\_<sup>th</sup> day of \_\_\_, 2025.

**The  
City of Hamilton**

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A. Horwath  
MAYOR

---

J. Trennum  
CITY CLERK

**Appendix C to Report PED25067****Page 1 of 2****HISTORICAL BACKGROUND****Report Fact Sheet**

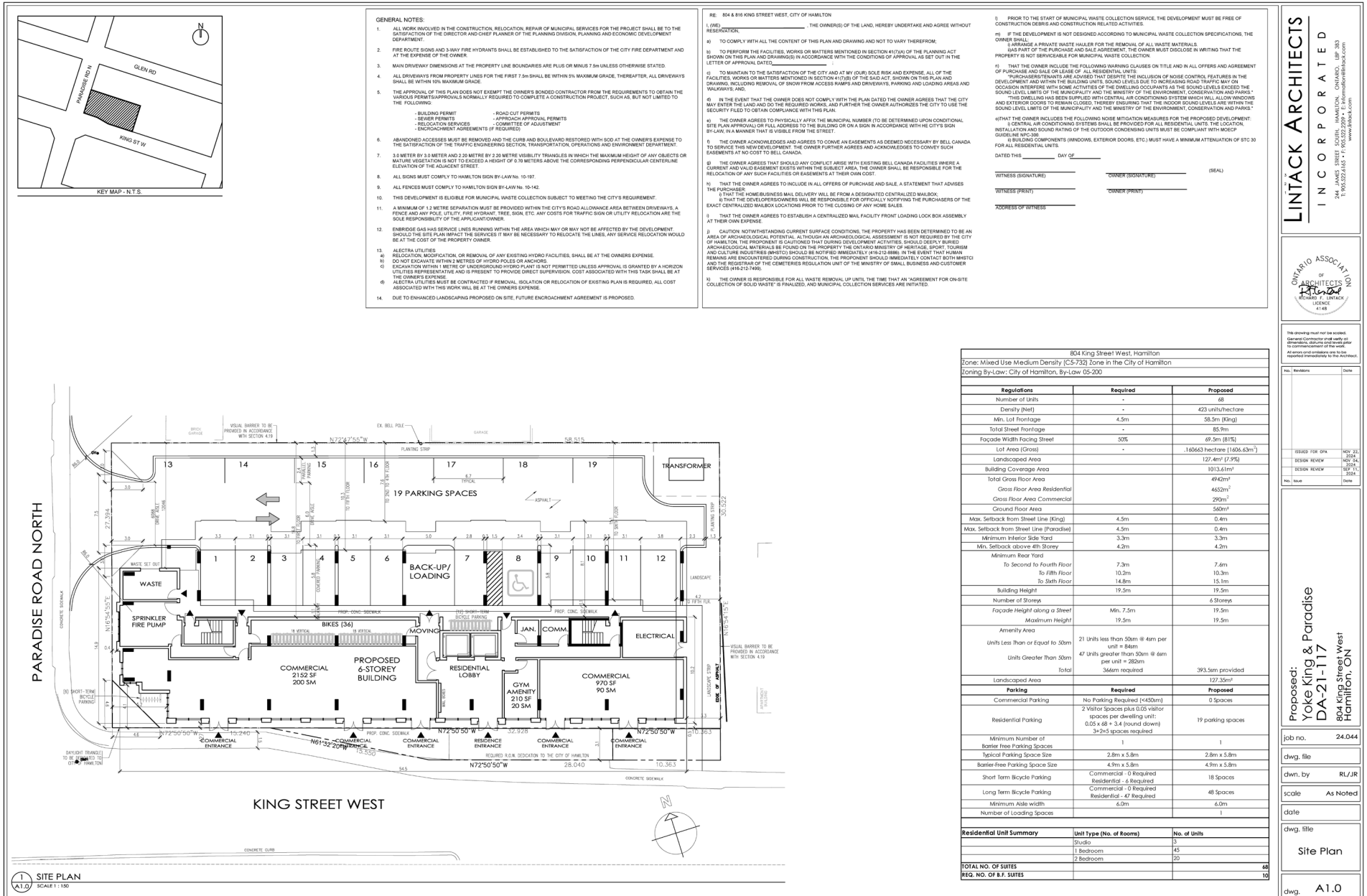
<b>Application Details</b>	
Owner:	Gateway Development Group Inc. (c/o Anthony Quattrociocchi).
Applicant:	WEBB Planning Consultants (c/o James Webb).
File Number:	UHOPA-24-012.
Type of Application:	Urban Hamilton Official Plan Amendment.
Proposal:	<p>The purpose of the Official Plan Amendment is to amend “Site Specific Policy – J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density on the site from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare to facilitate the development of a six storey mixed use building. A total of 68 residential units are proposed along with approximately 290 square metres of ground floor commercial space. A total of 19 surface level parking spaces are proposed. Vehicular access to the site is proposed from Paradise Road North.</p> <p>The existing buildings are to be demolished.</p>
<b>Property Details</b>	
Municipal Address:	804 to 816 King Street West.
Lot Area:	0.17 ha.
Servicing:	Existing full municipal services.
Existing Uses:	Two one storey commercial buildings and surface parking.
<b>Documents</b>	
Provincial Planning Statement:	The proposal is consistent with the Provincial Planning Statement (2024).
Official Plan Existing:	“Primary Corridor” on Schedule E – Urban Structure and “Mixed Use - Medium Density” on Schedule E-1 – Urban Land Use Designations.
Secondary Plan Existing:	“Mixed Use - Medium Density” on Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan – Land Use Plan.

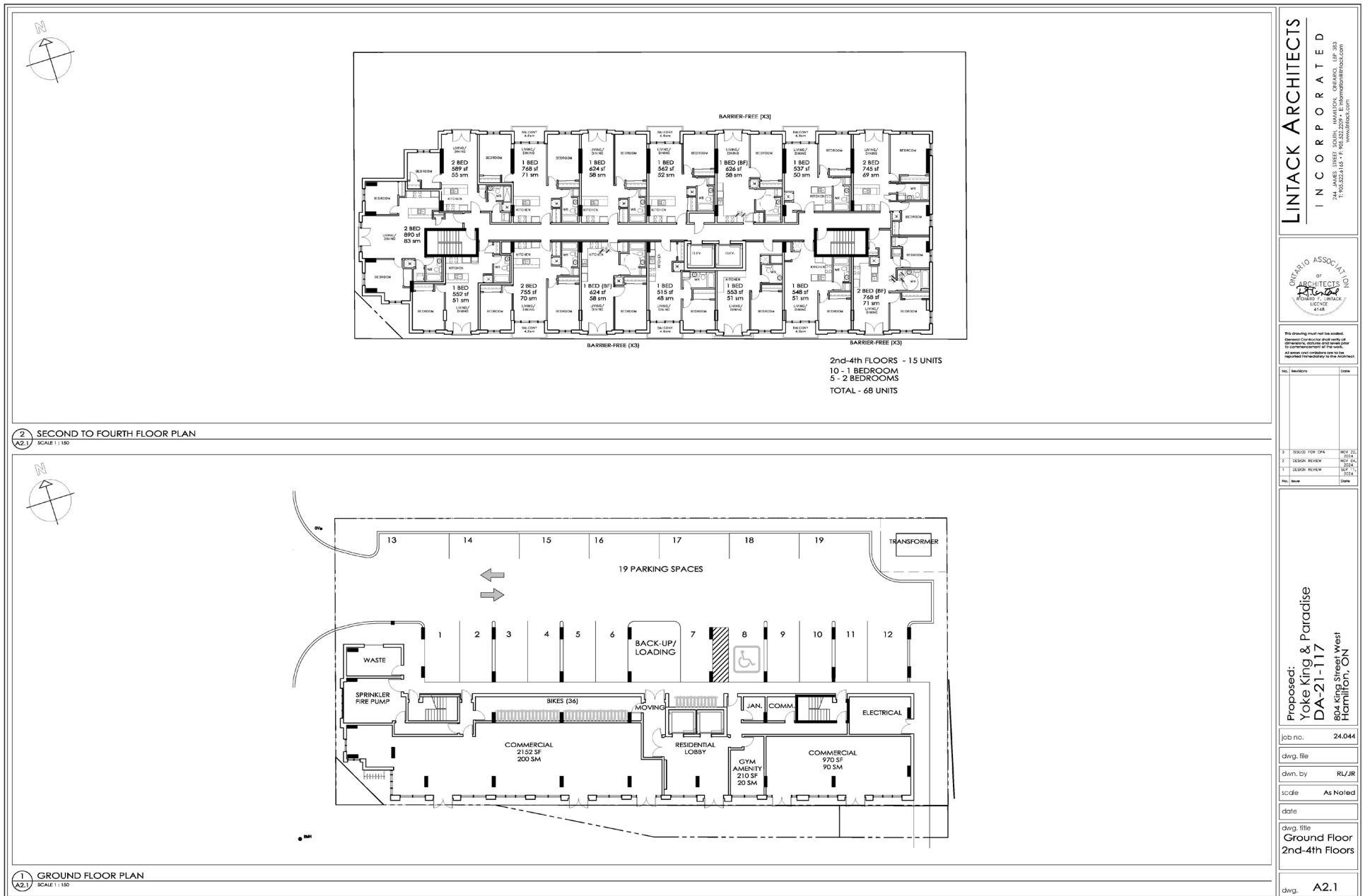
**Appendix C to Report PED25067****Page 2 of 2**

Secondary Plan Proposed:	To amend “Site Specific Policy – Area J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare within a six storey mixed use building.
Zoning Existing:	Mixed Use Medium Density (C5, 732) Zone.
<b>Processing Details</b>	
Received:	November 18, 2024.
Deemed Complete:	November 27, 2024.
Notice of Complete Application:	A Notice of Complete application was posted in the Hamilton Spectator on December 18, 2024.
Public Notice Sign:	Posted on December 12, 2024.
Notice of Public Meeting:	Sent to 203 property owners within 120 metres of the subject property on March 7, 2025.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix E attached to Report PED25067.
Public Consultation:	<p>In addition to the requirements of the <i>Planning Act</i>, the applicant submitted a Public Consultation Strategy with the supporting materials. A letter outlining the development application with request for public feedback was distributed to 110 properties located within a 120 metre radius of the subject lands on November 9, 2024, and November 10, 2024.</p> <p>To date, one comment was received by the applicant seeking additional information regarding construction timing after a decision has been made. The applicant included the correspondence in the Planning Justification Report.</p>
Public Comments:	Planning staff have not received any comments from the public regarding this application.
Processing Time:	111 days.

## Appendix D to Report PED25067

Page 1 of 3





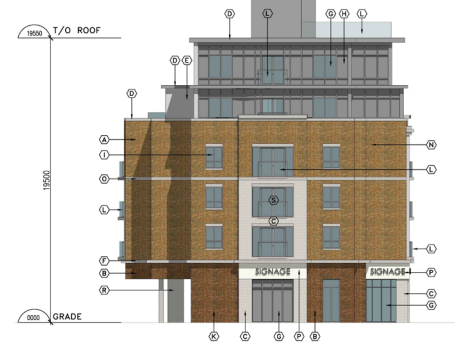


A3.1 ELEVATIONS  
DATE: 1.10.2021

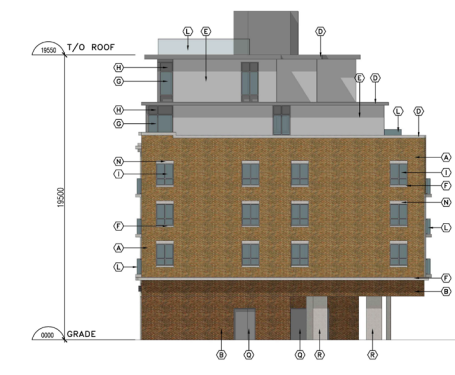
1 SOUTH ELEVATION  
SCALE 1:150



3 SOUTH ELEVATION  
SCALE 1:150



2 WEST ELEVATION  
SCALE 1:150



4 WEST ELEVATION  
SCALE 1:150

## EXTERIOR FINISH LEGEND

- (A) 2" BRICK VENEER (COLOUR 1)  
- COLOUR: TAN
- (B) 2" BRICK VENEER (COLOUR 2)  
- COLOUR: BROWN
- (C) STONE VENEER  
- COLOUR: GRAY LIMESTONE
- (D) PRE-FINISHED ALUMINUM FLASHING
- (E) EXTERIOR INSULATED FINISHING SYSTEM (EIFS)  
- COLOUR: GREY
- (F) PRECAST STONE LEDGE (CLEAR COAT SEALER)
- (G) ALUMINUM CURTAIN WALL GLAZING SYSTEM EQUAL TO ALUMINUM THERMAMAX 1W2000 SERIES DOUBLE GLAZED (OR APPROVED EQUAL)  
- COLOUR: CLEAR ANODIZED
- (H) THERMALLY BROKEN WINDOW EQUAL TO ALUMINUM SHADOWLINE 970 SERIES DOUBLE GLAZED (OR APPROVED EQUAL)  
- COLOUR: CLEAR ANODIZED
- (I) ALUMINUM INSULDOOR - DOUBLE GLAZED, TINTED, TEMPERED GLASS (OR APPROVED EQUAL)  
- COLOUR: CLEAR ANODIZED
- (J) STEEL POWDER COATED ROLL-UP DOOR  
- COLOUR: CHARCOAL
- (K) TEMPERED GLASS PRE-FINISHED ALUMINUM GUARD RAILINGS BY GRECO RAILINGS OR APPROVED EQUAL  
- COLOUR: SILVER
- (L) PRECAST CONCRETE CORNICE (CLEAR COAT SEALER)
- (M) PRECAST STONE HEADER (CLEAR COAT SEALER)
- (N) PRECAST BANDING (CLEAR COAT SEALER)
- (O) TENANT SIGNAGE N.I.C. (SIGNAGE PERMIT TO BE APPLIED FOR SEPARATELY)
- (P) HOLLOW METAL DOOR  
- PAINT FINISH, COLOUR: GREY
- (Q) POURED CONCRETE COLUMN  
- STUCCO FINISH, COLOUR: GREY
- (R) THERMALLY BROKEN DOOR AND ALUETTE BALCONY RAILING

**LINTACK ARCHITECTS**  
INCORPORATED  
246 JAMES STREET SOUTH - HAMILTON, ONTARIO, L8P 3B3  
TEL: 905.520.0147 • WWW.LINTACK.COM



This drawing must not be altered.  
General Contractor shall verify all dimensions and details of the work prior to construction.  
All errors and omissions are to be corrected immediately by the Architect.

Rev.	Revisions	Date
1	ISSUED FOR OPA	NOV 24, 2021
2	DESIGN REVIEW	NOV 24, 2021
3	DESIGN REVIEW	NOV 17, 2021
4	ISSUED FOR OPA	NOV 17, 2021
5	DESIGN REVIEW	NOV 17, 2021
6	ISSUED FOR OPA	NOV 17, 2021
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99	DESIGN REVIEW	NOV 17, 2021
100	ISSUED FOR OPA	NOV 17, 2021

Proposed:  
King & Paradise Student Residence  
DA-21-117  
804 King Street West  
Hamilton, ON

job no. 18.008

dwg. file

dwn. by JIR

scale As Noted

date MAY 2021

dwg. title  
South & West  
Elevations

dwg. A3.1

**Appendix E to Report PED25067**  
**Page 1 of 6**

## SUMMARY OF POLICY REVIEW

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

<b>Provincial Planning Statement (2024)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Management of Land Use, Settlement Area, Housing, Transportation Systems, Long-Term Economic Prosperity</b></p> <p>Policies: 2.2.1 c), d), 2.3.1.1, 2.3.1.2, 2.3.1.3, and 2.4.3</p>	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation as well as requiring transit-supportive development and prioritizing intensification.</p> <p>Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas. Land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure and public service facilities, support active transportation, and are transit supportive.</p> <p>Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities and promote intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate.</p>	<p>The proposed development is an efficient use of land and supports active transportation. The subject lands are adjacent to King Street West which is identified as “Primary Corridor” on Schedule E – Urban Structure of the Urban Hamilton Official Plan. The built form along the Urban Corridors shall generally consist of low to mid rise forms but will vary in some areas with higher densities. Areas identified as “Primary Corridor” are intended to accommodate high density and have a greater proportion of the corridor length provide commercial uses in a mixed use built form. The subject lands are within the urban boundary, which is considered a settlement area.</p> <p>Commercial uses are located on the subject lands and there are nearby parks, schools and employment uses. Hamilton Street Railway operates bus routes 01 King, 05 Delaware, 06 Aberdeen, 10 B-Line Express, and 51 University on King Street West. In addition, King Street West has been identified as a potential rapid transit route, with a planned Light Rail Transit route, B Line.</p> <p>The proposed development will achieve the planned urban structure, include ground floor commercial space, provide a greater range of housing types, and the increased density will support the use of existing and planned transit and commercial uses.</p> <p>The proposal is consistent with these policies.</p>

## Appendix E to Report PED25067

## Page 2 of 6

Urban Hamilton Official Plan		
Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Residential Intensification Criteria</b>  Policies: B.2.4.1.4, B.2.4.2.2 and E.3.2.4	Residential intensification in the built-up area shall be evaluated on the relationship with existing neighbourhood character, contribution towards achieving a range of dwelling types, compatible integration with the surrounding area, contribution towards achieving the planned urban structure, existing infrastructure capacity, incorporation of sustainable design elements, contribution towards supporting active transportation, and transit, availability of public community facilities/services, ability to retain natural attributes of the site, and compliance with all other applicable policies.	<p>The original development concept approved in April 2021 intended to provide student accommodations in the form of 122 bedrooms within 21 dwelling units, which resulted in a density of 176 residential dwelling units per gross hectare. The revised concept is for a mixed use building with ground floor commercial and a total of 68 dwelling units provided through a mix of studio, one bedroom and two bedroom units. The revised development proposal results in a density of 380 residential dwelling units per gross hectare.</p> <p>The proposed development consists of 68 dwelling units and 290 square metres of ground floor commercial space within a six storey mixed use building, represents a compatible form of infill within the neighbourhood, will provide a range of housing types and achieve the planned urban structure. The residential intensification can be supported since there are a number of amenities within the surrounding area, is located in proximity to transit and can be accommodated by the existing infrastructure.</p> <p>Commercial uses are located on the subject lands and a mix of institutional, employment and open space uses are in the surrounding area. Hamilton Street Railway operates bus routes 01 King, 05 Delaware, 06 Aberdeen, 10 B-Line Express, and 51 University on King Street West. In addition, King Street West has been identified as a potential rapid transit route, with a planned Light Rail Transit route, B Line.</p> <p>The proposal complies with these policies.</p>

**Appendix E to Report PED25067**  
**Page 3 of 6**

Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Transportation</b>  Policy: C.4.5.12	A Transportation Impact Study shall be required for an Official Plan Amendment and/or a major Zoning By-law Amendment.	<p>Transportation Planning staff have reviewed the Site Plan and Floor Plans, prepared by Lintach Architects Inc. dated November 22, 2024, and have previously reviewed and approved the Transportation Impact Study submitted for applications UHOPA-19-004 and ZAC-19-009 as of April 2, 2020, without additional revisions being required.</p> <p>Transportation Planning staff support the Official Plan Amendment application as the site generated traffic by the proposed development can be accommodated on the road network as demonstrated in the approved, Transportation Impact Study.</p> <p>Additional requirements will continue to be addressed under Site Plan application DA-21-117 and have been summarized in Appendix E attached to Report PED25067.</p> <p>The proposal complies with this policy.</p>
<b>Infrastructure</b>  Policy: C.5.3.6	All redevelopment within the urban area shall be connected to the City's water and wastewater system.	<p>Site Plan and Elevations, prepared by Lintack Architects Inc. dated November 22, 2024, a Preliminary Grading Plan, prepared by LandSmith Engineering and Consulting Ltd. dated November 15, 2024, a Water and Wastewater Generation Report, prepared by LandSmith Engineering and Consulting Ltd. dated October 2, 2024, and a Site Servicing Plan prepared by LandSmith Engineering and Consulting Ltd. dated September 21, 2024, were submitted. The proposed servicing and stormwater management concepts will continue to be reviewed under Site Plan application DA-21-117.</p> <p>Development Engineering Staff concur with the recommendations of the above mentioned reports and support</p>

**Appendix E to Report PED25067**  
**Page 4 of 6**

Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Infrastructure</b>  Policy: C.5.3.6  <b>(continued)</b>		<p>the Official Plan Amendment as proposed. Staff comments are included in Appendix F attached to Report PED25067.</p> <p>The proposal complies with this policy.</p>
<b>Urban Corridors – Scale and Design</b>  Policies: E.2.4.10, E.2.4.11, E.2.4.14, E.2.4.17	<p>The built form along the Urban Corridors shall generally consist of low to mid rise forms but will vary in some areas with higher densities. The Primary Corridors shall have a greater proportion of the corridor length in retail and mixed use forms. Urban Corridors shall be a focus for intensification and provide a comfortable pedestrian experience.</p> <p>Reductions in parking requirements shall be considered to encourage a broader range of uses and densities to support existing and planned transit routes.</p>	<p>The subject lands are adjacent to King Street West which is identified as a “Primary Corridor” in the Urban Hamilton Official Plan.</p> <p>The proposed increase in density is consistent with the planned intensification along “Primary Corridors”. The proposed development has been designed to promote a comfortable and attractive pedestrian experience. The building is located close to the street and designed with massing that contributes to the pedestrian experience of the streetscape.</p> <p>The proposed reduction in parking spaces is not consistent with the parking regulations within the site specific provisions of the Mixed Use Medium Density (C5,732) Zone and a future Minor Variance application will be required. Staff note that the proposed reduction is consistent with the recent amendments to the parking regulations of Zoning By-law No. 05-200 approved by Council.</p> <p>The proposal complies with these policies.</p>

**Appendix E to Report PED25067**  
**Page 5 of 6**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Mixed Use – Medium Density</b></p> <p>Policies: E.4.6.1 and E.4.6.5</p>	<p>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.</p> <p>Uses permitted on lands designated Mixed Use - Medium Density on Schedule E-1 – Urban Land Use Designations include, and are not limited to commercial uses, such as retail stores, restaurants, and personal services, and multiple dwellings.</p>	<p>The residential intensification can be supported since there are a number of amenities within the surrounding area, making the proposed development compatible with the neighbourhood context.</p> <p>The proposal complies with these policies.</p>
<b>Ainslie Wood Westdale Secondary Plan</b>		
<p><b>Mixed Use – Medium Density</b></p> <p>Policies: B.6.2.7, B.6.2.7.1, and B.6.2.7.2</p>	<p>Lands designated Mixed Use - Medium Density on Schedule E-1 – Urban Land Use Designations are to provide vibrant shopping areas for local residents and visitors.</p> <p>The objectives for Mixed Use - Medium Density designated areas encourage mixed uses, with residential apartments on upper floors of commercial buildings located along major roads and provide commercial areas in combination with other uses to serve the needs of local residents and visitors.</p> <p>Policies applicable to the objectives for Mixed Use - Medium Density designated areas provide that residential, commercial, or institutional uses, shall be permitted either as standalone developments</p>	<p>The proposed development will provide a range of housing types and achieve the planned urban structure. The residential intensification can be supported since there are a number of amenities such as parks and a community centre within the surrounding area. A mix of institutional, employment and park use are in proximity to the site.</p> <p>The proposed development consists of 68 dwelling units and 290 square metres of ground floor commercial space within the six storey mixed use building. Parking will be provided on the ground floor. The proposed development will provide a greater range of housing types and achieve the planned urban structure. The increased density will support existing and planned transit and commercial uses.</p>

**Appendix E to Report PED25067**  
**Page 6 of 6**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Mixed Use – Medium Density</b></p> <p>Policies: B.6.2.7, B.6.2.7.1, and B.6.2.7.2</p> <p><b>(continued)</b></p>	<p>or in a mixed use building and that the designated lands shall only front onto the major streets and shall generally have access only onto these major streets.</p>	<p>The proposal is consistent with these policies.</p>
<p><b>Site Specific Policy – Area J</b></p> <p>Policy: B.6.2.17.11</p>	<p>Notwithstanding Policy B.6.2.7.2 b) of Volume 2 and Policy E.4.6.8 of Volume 1, a maximum height of six storeys shall be permitted.</p> <p>Notwithstanding Policy B.6.2.7.2 e) of Volume 2 the maximum residential density shall be 176 units per gross hectare.</p>	<p>The proposed development is six storeys which is consistent with the policy.</p> <p>The purpose of the Official Plan Amendment is to allow for a maximum density of 380 residential units per gross hectare to permit 68 dwelling units. The proposed built form is not anticipated to change as the additional density is intended to be accommodated within the same building footprint permitted by the existing Mixed Use Medium Density (C5, 732) Zone regulations.</p> <p>Subject to the approval of the proposed Official Plan Amendment, the proposal complies with this policy.</p>

**Appendix F to Report PED25067**  
**Page 1 of 5**

**CONSULTATION – DEPARTMENTS AND AGENCIES**

Department/Agency	Comment	Staff Response
<ul style="list-style-type: none"> <li>• Budgets and Fiscal Policy Section, Financial Planning Administration and Policy Division, Corporate Services Department; and,</li> <li>• Landscape Architectural Services, Strategic Planning Division, Public Works Department.</li> </ul>	No Comment.	Noted.
<ul style="list-style-type: none"> <li>• Alectra Utilities</li> </ul>	Reviewed the application and provided information for the developer's electrical service requirements.	Noted.
<ul style="list-style-type: none"> <li>• Enbridge Gas</li> </ul>	Reviewed the application and provided information for the developer's gas service requirements.	Noted.
<ul style="list-style-type: none"> <li>• Corporate Real Estate, Economic Development Division, Planning and Economic Development Department; and,</li> <li>• Commercial Districts and Small Business Section, Economic Development Division, Planning and Economic Development Department.</li> </ul>	<p>Economic Development staff has identified the subject lands as being located within the City's King Street West Commercial Corridor Community Improvement Project Area. Staff support the Official Plan Amendment as proposed.</p> <p>Economic Development staff advise that if the owner intends to undertake any remediation of the site to address soil/ groundwater contamination, including the filing of a Record of Site Condition, the City's Environmental Remediation and Site Enhancement (ERASE) programs may be able to provide financial assistance towards required studies and remediation.</p> <p>Staff advise of additional financial assistance that.</p>	Noted.



**Appendix F to Report PED25067**  
**Page 2 of 5**

Department/Agency	Comment	Staff Response
<ul style="list-style-type: none"> <li>• Corporate Real Estate, Economic Development Division, Planning and Economic Development Department; and,</li> <li>• Commercial Districts and Small Business Section, Economic Development Division, Planning and Economic Development Department.</li> </ul>	<p>may apply, including programs providing 0% interest construction loans for new residential unit creation that may potentially be available in the area of the subject lands and housing-focused incentive programs through the Housing Accelerator Fund. The applicant should reach out to applicable Economic Development staff for more information</p>	
<p>Development Engineering Section, Growth Management Division, Planning and Economic Development Department.</p>	<p>Development Engineering staff have reviewed the Site Plan and Elevations, prepared by Lintack Architects Inc. dated November 22, 2024, Preliminary Grading Plan prepared by LandSmith Engineering and Consulting Ltd. dated November 15, 2024, Water and Wastewater Generation Report prepared by LandSmith Engineering and Consulting Ltd. dated October 2, 2024, and Site Servicing Plan prepared by LandSmith Engineering and Consulting Ltd. dated September 21, 2024. Staff concur with the recommendations of the above mentioned reports and support the Official Plan Amendment as proposed.</p>	<p>Noted.</p>
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p>	<p>Transportation Planning staff have reviewed the Site Plan and Floor Plans, prepared by Lintack Architects Inc. dated November 22, 2024, and have previously reviewed and approved the Transportation Impact Study (TIS) submitted for applications UHOPA-19-004 and ZAC-19-009 as of April 2, 2020, without additional revisions being required.</p>	<p>Transportation Planning staff have previously approved the submitted Transportation Impact Study.</p> <p>The required site plan changes will continue to be addressed under Site Plan application DA-21-117.</p>

**Appendix F to Report PED25067**  
**Page 3 of 5**

Department/Agency	Comment	Staff Response
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department <b>(continued)</b></p>	<p>Transportation Planning staff support the Official Plan Amendment application as the site-generated traffic by the proposed development can be accommodated as demonstrated in the submitted, and the approved, Transportation Impact Study.</p> <p>A survey conducted by an Ontario Land Surveyor and at applicant's expense will determine the ultimate dimensions for the required right-of-way widening for King Street West.</p> <p>Future Site Plan requirements include:</p> <ul style="list-style-type: none"> <li>• A turning plan needs to be illustrated on the site plan demonstrating how large trucks will maneuver in and out of the site without any limitations due to the proposed layby parking located on-site.</li> <li>• Driveway radii are not permitted to encroach past the extension of the adjacent property line.</li> <li>• The entirety of the radius to the curb is to be contained within the limits of the extension of the subject property as proposed in a previous site plan application.</li> <li>• Applicant to remove proposed parking stall #13 as shown below in Figure 1, due to the proximity of the driveway entrance the proposed stall will create safety and operational issues. Additionally, based on comment #5 from Transportation Planning, the new curb radii will impact this proposed spot.</li> </ul>	

**Appendix F to Report PED25067**  
**Page 4 of 5**

Department/Agency	Comment	Staff Response
Waste Policy and Planning Section, Waste Management Division, Public Works Department	<p>Waste Policy and Planning attempt to have all residential developments receive municipal waste collection unless there are extenuating circumstances and/or specific site constraints. As currently designed, the development is not serviceable for municipal waste collection services. The proposed commercial units will require a private waste hauler to be arranged for the removal of all waste materials. The proposed residential units will require front-end bin service for collection of garbage, recyclable material, and organic waste.</p> <p>Additional details have been provided in the comments to ensure the municipal requirements are met, which include the specifics such as the size of the waste room, the number of bins, chute design for the building layout and the road base design along the access route.</p>	<p>Noted.</p> <p>Additional requirements related to specific design details will continue to be addressed under Site Plan application DA-21-117.</p>
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	The applicant did not submit a Tree Management Plan or Landscape Plan for review. The Tree Management Plan and Landscape Plan approved June 1, 2022, as a part of conditionally approved Site Plan Control application DA-21-117 are required to be resubmitted to update the required fees and confirm that no additional changes are being proposed.	Tree Management Plan and Landscape Plan approvals, along with associated fees, will continue to be addressed under Site Plan application DA-21-117.

**Appendix F to Report PED25067**  
**Page 5 of 5**

Department/Agency	Comment	Staff Response
<p>Growth Planning Section, Growth Management Division, Planning and Economic Development Department</p>	<p>Legislative Approvals staff is advising that the previously assigned preliminary addressing be revoked and advise the following new addressing:            “The municipal address of 810 King Street West will be assigned for the residential component, and the addresses of 806 and 814 King Street West will be assigned to the proposed retail units. The existing addresses of 804 and 816 King Street West will eventually be retired and no longer in use.”</p> <p>It should be confirmed if tenure for the subject proposal will be a Condominium. Please note a PIN Abstract would be required with the submission of a future Draft Plan of Condominium application.</p> <p>The previously identified conditions of site plan approval will remain applicable to the revised proposal.</p>	<p>These comments will continue to be addressed under Site Plan application DA-21-117.and/or Draft Plan of Condominium application(s).</p>



WELCOME TO THE CITY OF HAMILTON

# PLANNING COMMITTEE

March 18, 2025

## PED25067 – (UHOPA-24-012)

Application for an Official Plan Amendment for Lands Located at  
804 to 816 King Street West, Hamilton.

Presented by: Yomna Serag Eldin



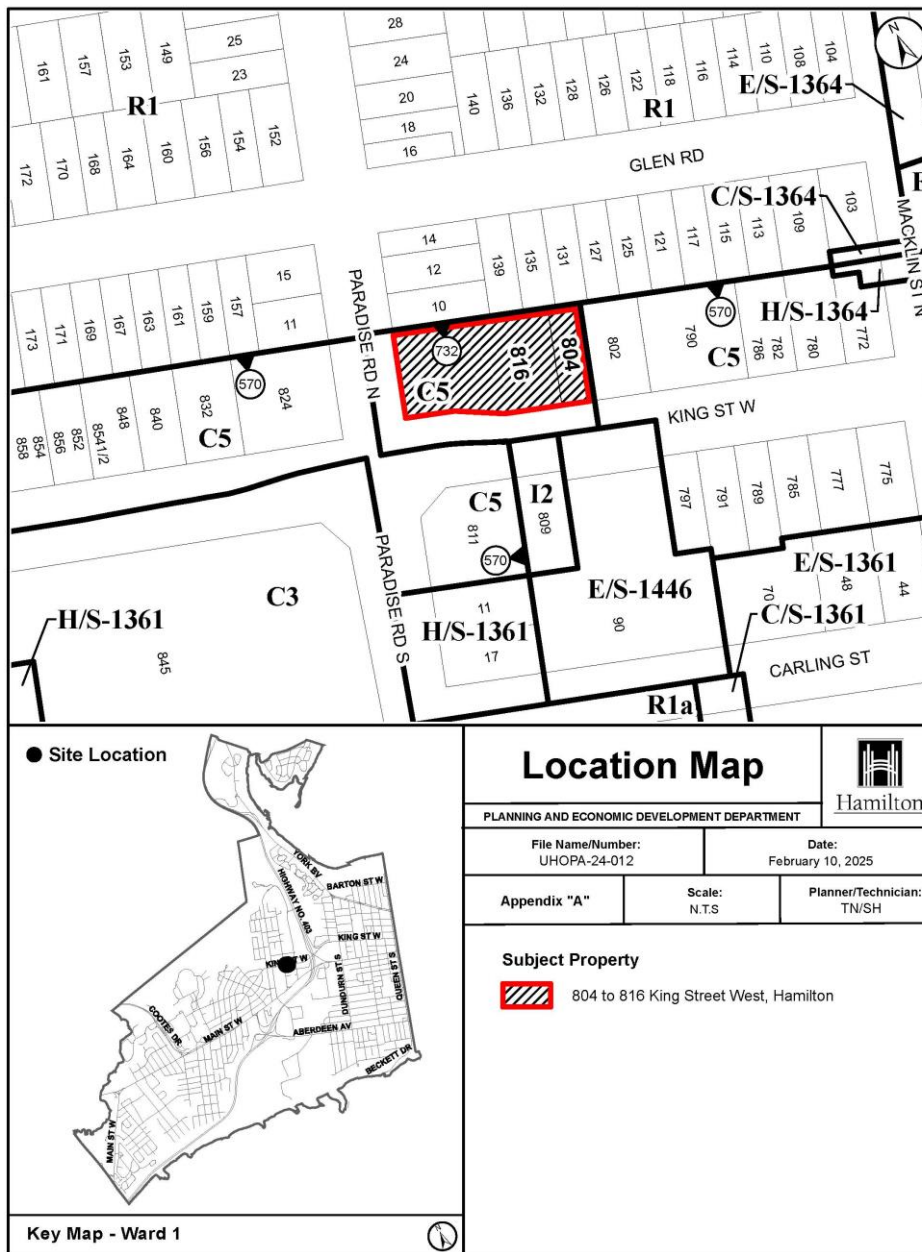
SUBJECT PROPERTY



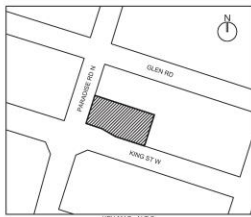
804 – 816 King Street West, Hamilton







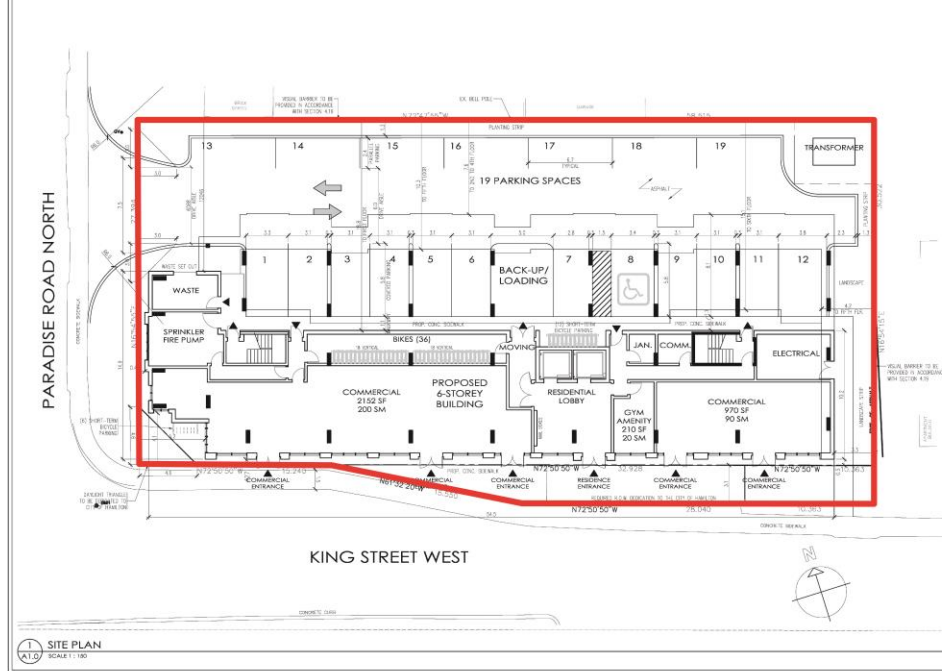




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**LINTACK ARCHITECTS**  
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804 King Street West, Hamilton		
Zone: Mixed Use Medium Density (C-3-70) Zone in the City of Hamilton		
Zoning By-Law: City of Hamilton, By-Law 60-200		
Regulations	Required	Proposed
Number of Units	-	68
Density (Units)	-	421 units/hectare
Min. Lot Frontage	4.5m	58.5m (King)
Max. Lot Frontage	-	85.9m
Facade Width Frontage	50%	49.5m (60%)
Lot Area (Gross)	-	10666 square meters (106.63m <sup>2</sup> )
Landscape Areas	-	127.4m <sup>2</sup> (7.9%)
Building Coverage Areas	-	193.6m <sup>2</sup>
Total Gross Floor Area	-	4642m <sup>2</sup>
Gross Floor Area Residential	-	4642m <sup>2</sup>
Gross Floor Area Commercial	-	299m <sup>2</sup>
Ground Floor Area	-	1600m <sup>2</sup>
Abs. Setback from Street (King)	4.5m	0.4m
Max. Setback from Street (see 30' limit)	4.5m	0.4m
Minimum Interior Side Yard	3.3m	3.3m
Min. Setback above 4th Storey	4.2m	4.2m
Minimum Rear Yard	-	-
To Second to Fourth Floor	7.3m	7.6m
To Fifth Floor	10.2m	10.3m
To Sixth Floor	14.6m	15.1m
Building Height	19.5m	19.5m
Number of Storeys	6 Storeys	6 Storeys
Facade Height along a Street	Min. 7.5m	19.5m
Academy Street	7.5m	19.5m
Amenity Areas	-	-
Units Less Than or Equal to 30m <sup>2</sup>	21 units less than 30m <sup>2</sup> & 4m per unit	-
Units Greater Than 30m <sup>2</sup> & 4m per unit	47 units greater than 30m <sup>2</sup> & 4m per unit < 20m <sup>2</sup>	-
Units Greater Than 30m <sup>2</sup> & 4m per unit	360m provided	363.5m provided
Total	-	127.35m <sup>2</sup>
Parking	Required	Proposed
Commercial Parking	No Parking Required (existing)	0 Spaces
Residential Parking	2 Visitor Spaces plus 0.55 visitor spaces per dwelling unit: 0.55 x 68 = 3.74 (round down) 2+2x1 spaces required	19 parking spaces
Minimum Number of Barrier Free Parking Spaces	2	2
Typical Parking Space Size	2.8m x 5.8m	2.8m x 5.8m
Barrier Free Parking Space Size	4.9m x 5.8m	4.9m x 5.8m
Short-Term Bicycle Parking	Commercial - 8 Required Residential - 4 Required	18 Spaces
Long-Term Bicycle Parking	Commercial - 8 Required Residential - 4 Required	18 Spaces
Minimum Access Widths	4.5m	6.0m
Number of Loading Spaces	-	1
<b>Residential Unit Summary</b>	<b>Unit Type (No. of Rooms)</b>	<b>No. of Units</b>
	Studio	35
	1 Bedroom	40
	2 Bedroom	13
<b>TOTAL NO. OF SUITES</b>		<b>88</b>
<b>REQ. NO. OF B. SUITES</b>		<b>16</b>

Proposed: **Yoke King & Paradise**

**DA-21-117**

804 King Street West  
Hamilton, ON

job no. 24.04

dwg. file R/L/S

dwn. by As Noted

scale As Noted

date

dwg. title

Site Plan

dwg. A1.0



ELEVATIONS-DPA  
 804 KING STREET WEST



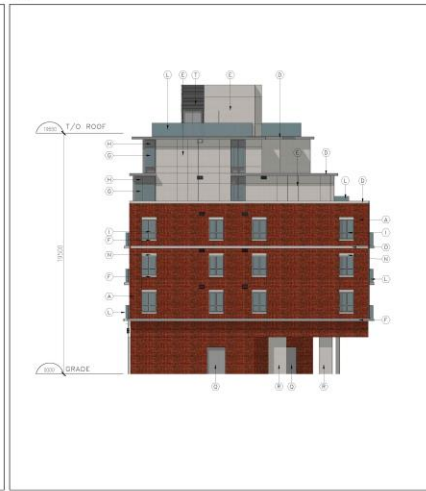
1 SOUTH ELEVATION  
 SCALE: 1/8"



2 WEST ELEVATION  
 SCALE: 1/8"



3 NORTH ELEVATION  
 SCALE: 1/8"




4 EAST ELEVATION  
 SCALE: 1/8"

EXTERIOR FINISH LEGEND	
A	2" BRICK, WEATHERED - COLOUR: RED
B	RESERVED
C	STONE, MEDIUM - COLOUR: GREY LIMESTONE
D	PRE-FINISHED ALUMINUM FLUSHING
E	EXTERIOR INSULATED FINISHING SYSTEM (EIFS) - COLOUR: GREY
F	PREFABRICATED STONE (CLEAR COAT SEALER)
G	ALUMINUM CLIP-ON WALL GLAZING SYSTEM EQUAL TO ALUMINUM THERMALLY BROKEN DOUBLE GLAZED (OR APPROVED EQUAL) - COLOUR: GREY
H	ALUMINUM CLIP-ON WALL GLAZING SYSTEM EQUAL TO ALUMINUM THERMALLY BROKEN DOUBLE GLAZED (OR APPROVED EQUAL) - COLOUR: CLEAR ANODIZED
I	THERMALLY BROKEN DOUBLE GLAZED (OR APPROVED EQUAL) - COLOUR: CLEAR ANODIZED
J	ALUMINUM ANODIZED - DOUBLE GLAZED, TINTED, THERMALLY BROKEN, (OR APPROVED EQUAL) - COLOUR: CLEAR ANODIZED
K	STEEL POWER COATING WALL-UP ROOF - COLOUR: CHARCOAL
L	THERMALLY BROKEN DOUBLE GLAZED ALUMINUM CLIP-ON WALL-UP ROOF (OR APPROVED EQUAL) - COLOUR: GREY
M	PREFABRICATED CONCRETE CURBAGE (CLEAR COAT SEALER)
N	PREFABRICATED STONE HEADERS (CLEAR COAT SEALER)
O	PREFABRICATED STONE HEADERS (CLEAR COAT SEALER)
P	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY
Q	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY
R	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY
S	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY
T	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY
U	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY
V	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY
W	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY
X	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY
Y	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY
Z	WEATHERED THERMALLY BROKEN (OR APPROVED EQUAL) - COLOUR: GREY

REVISIONS		
No.	Description	Date
1	ISSUED FOR PERMIT	10/1/20
2	ISSUED FOR PERMIT	10/1/20
3	ISSUED FOR PERMIT	10/1/20
4	ISSUED FOR PERMIT	10/1/20
5	ISSUED FOR PERMIT	10/1/20
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99	ISSUED FOR PERMIT	10/1/20
100	ISSUED FOR PERMIT	10/1/20

LINTACK ARCHITECTS INCORPORATED	
234 LAMAR STREET SOUTH, HAMAMON, ONTARIO, L9P 3K3 TEL: 519.255.1111 • FAX: 519.255.1112 WWW.LINTACK.COM	
	
<p>Proposed:          King &amp; Paradise Student Residence          DA-21-117          804 King Street West          Hamilton, ON</p>	
Job No.	18.008
Drawn By	JR
Scale	As Noted
Date	MAY 2021
Drawn Title	Elevations
Drawn	A3.1





Subject Lands looking southeast from Paradise Road North





Adjacent Lands south of the Subject Lands looking southeast from Paradise Street North





Subject Lands looking northeast from King Street West



# THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** March 18, 2025

**Report No:** PED25110

**Subject/Title:** Notice of Owner's Request to Repeal Designation  
By-law No. 95-67 for 2295 Troy Road, Flamborough  
(Former Troy School) under Section 32 of the  
*Ontario Heritage Act*

**Ward(s) Affected:** Ward 12

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### Recommendations

- 1) That the owner's request to repeal former Town of Flamborough By-law No. 95-67, being a by-law to designate 2295 Troy Road, Flamborough (Former Troy School), under Part IV of the *Ontario Heritage Act*, attached as Appendix A to Report PED25110, **BE RECEIVED**.
- 2) That the City Clerk **BE DIRECTED** to give notice of any owner's request to repeal a designating by-law under Part IV of the *Ontario Heritage Act*, in accordance with the requirements of Section 32 of the *Ontario Heritage Act*.
- 3) That staff **BE DIRECTED** to process any owner-initiated application to repeal a designating by-law, in accordance with Section 32 of the *Ontario Heritage Act*, including considering any objections to the notice of application to repeal, consulting with the Hamilton Municipal Heritage Committee and reporting back to Council with a recommendation for addressing the request for repeal.

### Key Facts

- This Report notifies Council of the owner-initiated request to repeal Former Town of Flamborough By-law No. 95-67, being by-law designating 2295 Troy Road, Flamborough (Former Troy School) under Part IV of the *Ontario Heritage Act*.



Notice of Owner's Request to Repeal Designation By-law No. 95-67 for 2295 Troy Road, Flamborough (Former Troy School) under Section 32 of the *Ontario Heritage Act*

Page 2 of 4

- On December 16, 2024, Staff received an application, attached as Appendix A to Report PED25110, from the owner of 2295 Troy Road, Flamborough, requesting that the property designation be repealed.
- Under Section 32 of the *Ontario Heritage Act*, following receipt of this application Council is required to cause notice of the application to be given by the City Clerk, beginning a 30-day objection period.
- Following the objection period and consultation with the Hamilton Municipal Heritage Committee, Council shall consider the application and decide whether to refuse the repeal request, or consent to the application and repeal all or part of the designation by-law for the property.
- The Recommendations of this Report provides direction for staff to issue the required notice under Section 32 of the *Ontario Heritage Act* for this, and any further, application to repeal a designating by-law.

## Financial Considerations

Not Applicable.

## Background

The subject property at 2295 Troy Road (formerly 3rd Concession Road West), Flamborough, is designated by the former Town of Flamborough By-law No. 95-67. The property, known as the former Troy School, is comprised of a wooden school building built circa 1850s. The structure features a plain rectangular plan with a gable roof and a large central tower clad in wood shiplap siding. The tower features a decorative rose window, wood panelling and a mansard roof. The former Troy School was designated for its architectural, historical, and contextual value.

On December 16, 2024, staff received an application from the property owner requesting that the designation by-law be repealed (attached as Appendix A to this Report).

## Analysis

Section 32 of the *Ontario Heritage Act* indicates that an owner of a property designated under Part IV of the Act may apply to the Council to repeal the by-law designating the property. Upon receiving an application, Council shall cause notice of the application to be given by the City Clerk in accordance with Subsection 32(3) of the *Ontario Heritage Act*. This required notice shall be published in the newspaper and contain:

- a) An adequate description of the property so that it may be readily ascertained;
- b) A statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property as set out in the by-law that is the subject of the application;
- c) A statement that further information respecting the application is available from the municipality; and

- 
- d) A statement that a notice of objection to the application may be served on the Clerk within 30 days after the date of publication of the notice of the application.

Staff do not currently have direction from Council to issue the required notice of an owner's request for repeal. This report is required to give staff the necessary direction to provide the required notice under the *Ontario Heritage Act*. The wording of the staff recommendation provides sufficient direction to ensure that there is staff authority moving forward to provide this mandatory notice under the *Ontario Heritage Act* without having to report back to Council for direction to do so, ensuring that future applications are processed in a timely manner.

### Next Steps

The *Ontario Heritage Act* requires that Council make a decision on an owner's application to repeal a designating by-law within 90 days after the end of the 30-day objection period. Following the end of the notice objection period, staff will prepare a report to the Hamilton Municipal Heritage Committee addressing the owner's request to repeal, taking into consideration any objections received to the notice of application, and recommend appropriate action for Council's consideration.

In response to the application, Council may: refuse the application; or consent to the application and pass a by-law repealing the by-law designating the property. Section 32(5) of the *Ontario Heritage Act* provides that Council must consult with its Municipal Heritage Committee and consider any objections before taking any action with respect to an application to repeal the designation by-law.

The Recommendations of this Report are consistent with municipal and provincial legislation, including:

- Ensuring that protected heritage property is conserved (*Provincial Planning Statement*, 2024, Sub-section 4.6.1); and,
- Protecting and conserving the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes (*Urban Hamilton Official Plan*, Section B.3.4.2.1(a)).

### Alternatives

There are no alternatives to the recommendations of this report, as Council is required by law under Section 32(2) of the *Ontario Heritage Act* to cause notice of the application to be given by the City Clerk.

### Relationship to Council Strategic Priorities

- Priority 1: Sustainable Economic & Ecological Development
  - 1.2: Facilitate the growth of key sectors.
- Priority 3: Responsiveness & Transparency

- 
- 3.2: Get more people involved in decision making and problem solving.

## Previous Reports Submitted

Not Applicable.

## Consultation

The owner was advised of staff's receipt of their application to repeal the designating by-law for the property by email on December 17, 2024. Following receipt, staff consulted with Legal and Clerks staff in Corporate Services to confirm the legislative process for addressing the application.

In addition, staff met with Ward 12 Councillor Craig Cassar on January 13, 2025, to notify them of the application and discuss the designation repeal application process under the *Ontario Heritage Act*. Staff subsequently advised the Councillor of the timing of this Report and next steps in processing the application.

## Appendices and Schedules Attached

Appendix A: Application Requesting the Repeal of the Designation By-law No. 95-67 for 2295 Troy Road, Flamborough (Former Troy School)

**Prepared by:** Lisa Christie, Cultural Heritage Planner  
Planning and Economic Development, Planning Division

Alissa Golden, Cultural Heritage Program Lead  
Planning and Economic Development, Planning Division

**Submitted and recommended by:** Anita Fabac, Acting Director of Planning, and Chief Planner  
Planning and Economic Development, Planning Division



Hamilton City Hall  
71 Main Street West  
Heritage Committee  
Hamilton, ON L8P 4Y5

Judy Hughes

November 12, 2024

I am writing on behalf of the Troy Women's Institute to request that the Heritage designation be removed from the Troy Schoolhouse in Troy. We want autonomy over the building we own and believe the information we are providing will assist the committee in making the right decision.

Attached to this letter is documentation regarding the reasons for designation and why we believe that the building no longer meets the criteria of a Heritage building. We have contacted 6 restoration companies regarding the restoration of the exterior of the schoolhouse. Some contractors came for a site visit. Some had no interest in quoting a price unless we had the funding. I also have one quote (the least expensive) for vinyl siding.

As a not-for-profit organization we do not have a Canada Revenue Agency (CRA) number that is now required to apply for any grants. This is a big blow to us. We want to restore the exterior of our building by covering it with vinyl siding. This will be a more financially sound investment for us.

We want to ensure that the Troy Schoolhouse continues to be available for future generations of families. Our hall is the perfect place for our community to gather. It is Health Certified, is accessible, reasonably priced, air conditioned and local.

Our building is rented on a regular basis to families in our rural community to gather for showers, anniversaries, end of life celebrations, birthdays, fundraising dinners, craft show, entrepreneurs using our health certified kitchen, Christmas, Easter, Thanksgiving family dinners, Church services, to name a few. We offer weekly outreach Programs for Seniors "The Wheel of Fitness", and the Men's Coffee Club.

In order to achieve our goals, and have a long lasting solution, the vinyl siding is a more cost effective approach. The building will no longer require the continued upkeep of paint. We are all aware that paint over paint guarantees more flakes, more peeling and more exposed wood which results in more rotting wood. The building has been painted before so we know this to be true. To be honest it is a waste of money to "scrape and paint".

How will we pay for vinyl siding? We will send a letter to the community requesting their financial support and/or gifts in kind. We have found in the past that community members are more likely to contribute when they see the results their donation makes and how it impacts the rural community in which we live.

In closing, we are asking the Heritage Committee to grant the Troy Women's Institute request, to remove the Heritage designation from the Troy Schoolhouse.

Judy Hughes, Past President  
On behalf of Troy Women's Institute Members

Brenda Goodbrand, President /

Milka Sanderson

Judy Hughes, Past President

Wendy Lindsay

Joan King, Secretary

JoAn Graves

Trish James, Treasurer

Jackie Riddle

Linda Crawford

Jane Devito

Cheryl Bielefeld

Lois Hunt



As per email dated August 23, 2024  
from Dawn Cordeiro  
Cultural Heritage Planner

## Reasons for Designation from By-law 95-67-H

### HISTORICAL SIGNIFICANCE

"By 1962, with the advent of modern and larger consolidated schools, the structure was considered to be outdated and impractical"

#### Response

agree

"The building became known as the Troy Women's Institute Hall"

agree

### Currently

"the building is used by Troy Women's Institute"

agree – purchased by WI in 1965

"Library"

disagree – in my 48 years it has never been a library

"the 4-H Girls Club"

disagree – 4-H is **not** a girls club, its designed to "Learn by doing" for both males and females. They do not meet in our hall.

"a co-operative nursery school"

disagree - nursery school ceased to exist in 2004

### ARCHITECTURAL SIGNIFICANCE

"Troy School is perhaps the only remaining wooden school building extant in Hamilton-Wentworth".

? during my research I could find no information to corroborate this statement. I stand to be corrected.

1. "Constructed with Shiplap siding"

disagree - Shiplap siding is described as "board overlaps the top ¼ inch of its lower neighbor to produce a stable and weather-proof joint". We have some boards that fit that description but the majority do not.

2. "It's plain rectangular shape is enlivened by a large central tower"

disagree – there is no central tower. The tower base is all that remains.

3. "There are four round headed windows on the front façade of the building which are symmetrically arranged on either side of the tower"

agree/disagree – replacement windows. Sashes were rotten allowing water to penetrate building

the tower itself contains a round-headed double window with a central circular lozenge above the two lights”

5. “Above this window is a charming and unusual “rose” window with delicate wooden tracery in a Catherine Wheel design”

6. “The tower also contains the two original side entrances which were crowned by round-headed transoms with double lights and lozenge decoration”

7. “These have been partially covered by the addition of two shed-like constructions”

8. “The tower is crowned by a simple decorative cornice”

9. “and a bellcast mansard roof which contains an elaborate pedimented dormer containing a date/name plaque”

10. “The portion of the tower which contained the bell was dismantled during renovations which took place in the 1950’s, but the decorative base of this structure still remains”

agree/disagree – replacement window. There are no lights.

agree/disagree– replacement window

disagree – there are NO original side entrances or lights

disagree – There are NO shed like constructions

disagree – the cornice disintegrated when the leaking roof was replaced

agree/disagree - the mansard roof remains but not in its original state.

disagree – sadly the elaborate pedimented dormer containing a date/name plaque disintegrated when the roof was replaced.

disagree – It is my understanding that the actual bell tower came down in a severe wind storm. In my 48 years I never saw that piece of history. The replaced base remains but without decoration.

## **DESIGNATED FEATURES**

**YOU** “Important to the preservation of the Troy School are all original exterior features including, but not limited to, the original shiplap siding and wooden trim; the tower with its round-headed double window, “rose” window, elaborate pedimented dormer, and its bellcast mansard roof; and the four round-headed windows on the front façade. The interior of the building is excluded from designation.”

**ME** What you suggest as “important preservation of the Troy School” shiplap siding is minimal and rotting, wooden trim no longer exists, the windows are all replacements, the four round -headed windows are all replacements. The only remaining feature is the replaced mansard roof minus the trim.



**CLOSING**

I have respectfully responded to "Reasons for Designation from By-law 95-67-H" in your email dated August 23, 2024. I have either agreed or disagreed to the By-law by including an explanation of how I reached my conclusion. Much of the data included in your email is outdated. I/We the Troy Women's Institute trust that the attached clarifications will provide the necessary information for the Heritage Committee to reassess our request for declassification of the Heritage designation. The wood cladding is not consistent with "Shiplap" siding description. Large flakes of paint are peeling leaving the majority of the wood exposed. We have contacted restoration companies for quotes. Most are in excess of \$100,000.

Dawn Cordeiro gave us the name of Jason BeBee in Toronto who provided a quote of \$108,000 based on the above information given to him. He did not make a site visit. He also said in his email dated September 5, 2024 that "scrape and paint (\$68,000)" does not include removal of all paint or adding sealant to exposed wood. Most importantly in my mind is Jason's comment "the exterior wood siding would still need painting every 5 years or so" as part of its regular maintenance". We don't have the \$68,000. required for the current Quote let alone the expense of continued painting every 5 or so years.

The \$40,000. for wood replacement does not mention "shiplap siding". What type of wood would be used? Would the current price of \$40,000. be honoured if additional wood replacement would be required?

The current exterior "paint and scrape" for \$68,000. And the replacement wood for \$40,000. is not a financially sound investment when the paint and scrape for \$68,000. needs to be repeated in "5 or so years".

We, the Troy Women's Institute, request that the Heritage designation be removed from the Troy Schoolhouse. We want autonomy in order to make financial decisions that are in our best interest. We simply want to preserve our hall for the benefit of our community.

Judy Hughes, Past President

Troy Women's Institute

On behalf of Troy Women's Institute members listed below.

Brenda Goodbrand, President

Joan King, Secretary

Trish James, Treasurer

Linda Crawford

Cheryl Bielefeld

Lois Hunt

Mimi Sanderson

Wendy Lindsay

JoAn Graves

Jackie Riddle

Jane DeVito

Judy Hughes







Dated April 22nd 19 65

PUBLIC SCHOOL BOARD  
OF THE TOWNSHIP  
SCHOOL AREA OF BEVERLY

TO

THE TROY WOMEN'S  
INSTITUTE

Troy, Ont.

Deed of Land  
SITUATE

Township of Beverly

Newsome and Gilbert, Limited, Toronto

316523

No. .... H. D.  
I certify that the within instrument  
was duly entered and registered in  
the Registry Office for the Registry  
Division of Wentworth on Microfilm  
For *Beverly*  
at *3:28* o'clock *PM* of the  
18 day of JUN A. D. 1965

*A. Cannon*  
REGISTRAR

*NT*  
*606*

✓ JOHN F. MAHONY, Q.C.  
BARRISTER & SOLICITOR  
DUNDAS . ONTARIO

THIS SPACE TO BE RESERVED FOR REGISTRY OFFICE CERTIFICATES



# PLAN

SHOWING

PART OF LOT 7

CONCESSION 3

IN THE

## TOWNSHIP OF BEVERLY

SCALE: 1" = 30'

THE KING'S HIGHWAY No. 5  
DEPOSITED PLAN No. 396 MISC.

ROAD ALLOWANCE BETWEEN LOTS 6 & 7

LOT

LANDS OF WHYTECK

CONCESSION

3

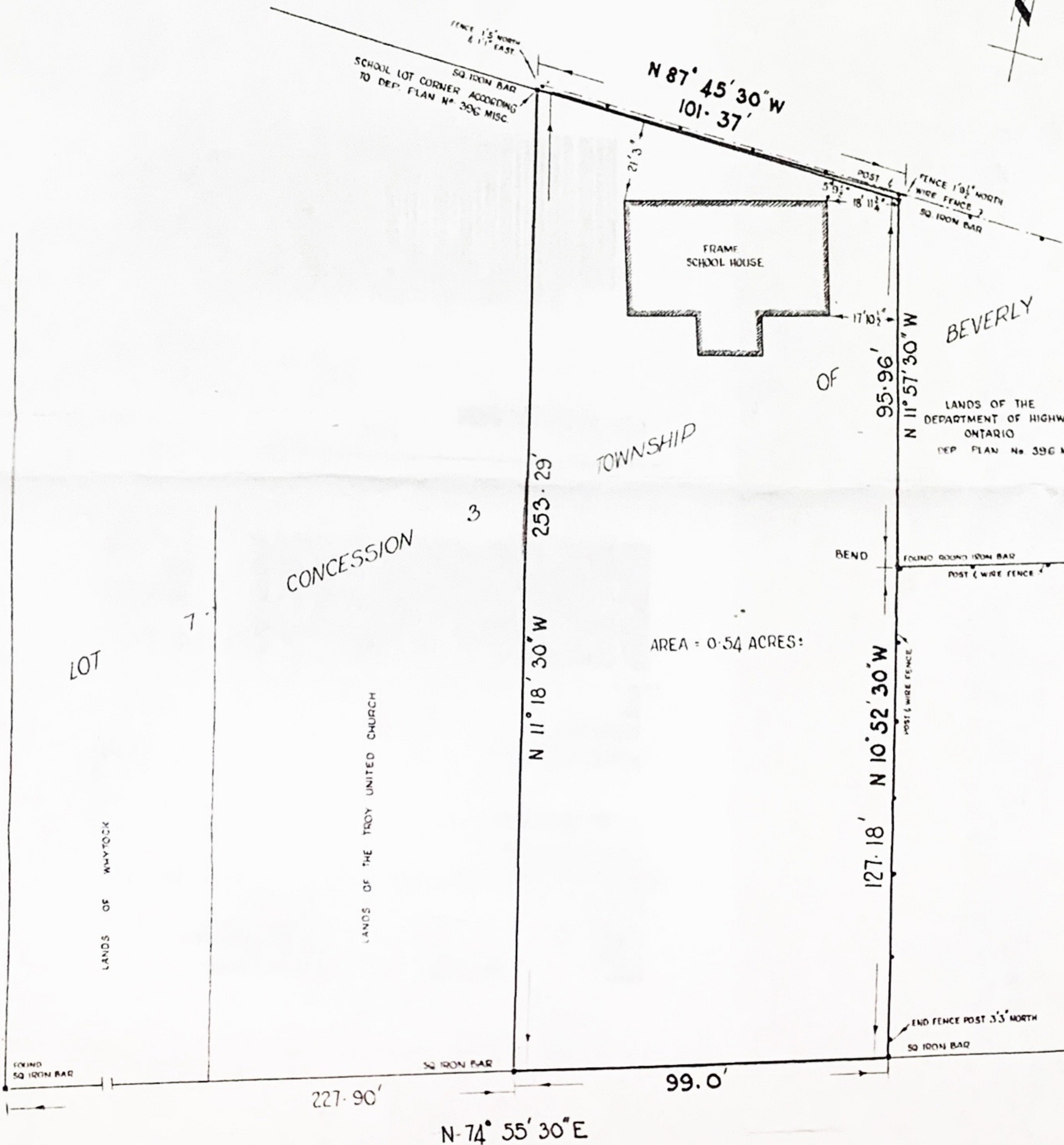
LANDS OF THE TROY UNITED CHURCH

TOWNSHIP

AREA = 0.54 ACRES:

BEVERLY

LANDS OF THE  
DEPARTMENT OF HIGHWAY  
ONTARIO  
DEP. PLAN No. 396 M







## **HAMILTON MUNICIPAL HERITAGE COMMITTEE MINUTES HMHC 25-002**

**12:00 p.m.**

**February 28, 2025**

Council Chambers, 2<sup>nd</sup> Floor (Hybrid)  
Hamilton City Hall  
71 Main Street West

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**Present:** Councillor C. Kroetsch (Virtual)  
A. Denham-Robinson (Chair), G. Carroll (Vice-Chair), K. Burke,  
A. Douglas, L. Lunsted, A. MacLaren and S. Spolnik (Virtual)

**Also  
Present:** Councillor T. Hwang

---

### **1. CALL TO ORDER**

Committee Chair Denham-Robinson called the meeting to order at 12:00 p.m.

### **2. CEREMONIAL ACTIVITIES**

There were no Ceremonial Activities.

### **3. APPROVAL OF THE AGENDA**

**(MacLaren/Carroll)**

That the agenda for the February 28, 2025, meeting of the Hamilton Municipal Heritage Committee be approved, as presented.

**CARRIED**

### **4. DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

### **5. APPROVAL OF MINUTES OF PREVIOUS MEETING**

#### **5.1 HMHC 25-001**

Hamilton Municipal Heritage Committee Minutes from the meeting held on  
January 24, 2025

(Lunsted/Burke)

That the Minutes of the January 24, 2025, meeting of the Hamilton Municipal Heritage Committee, be adopted, as presented.

**CARRIED**

**6. DELEGATIONS**

There were no Delegations.

**7. ITEMS FOR INFORMATION**

(Kroetsch/Carroll)

That the following Items for Information, be received:

**7.1 PED25072**

**Delegated Approvals Respecting Heritage Permit Applications:  
HP2024-034, HP2024-036, HP2024-038, HP2024-039, HP2024-040,  
HP2024-041, HP2024-042, and HP2025-001 (Wards 1, 2, and 12)**

**7.2 Policy and Design Working Group Meeting Notes – September 9, 2024**

**CARRIED**

**8. ITEMS FOR CONSIDERATION**

**8.1 PED25033**

**Recommendation to Designate 1175 Main Street East, Hamilton  
(Memorial Public School), under Part IV of the *Ontario Heritage  
Act* (Ward 3)**

Scott Dickinson, Cultural Heritage Planner, addressed Committee respecting Report PED25033, Recommendation to Designate 1175 Main Street East, Hamilton (Memorial Public School), under Part IV of the *Ontario Heritage Act*, with the aid of a PowerPoint presentation.

(MacLaren/Douglas)

That report PED25033, dated February 28, 2025, respecting the Recommendation to Designate 1175 Main Street East, Hamilton (Memorial Public School), under Part IV of the *Ontario Heritage Act*, and accompanying presentation, be received, and the following recommendations be approved:

- (a) That the City Clerk **BE DIRECTED** to give notice of Council's intention to designate 1175 Main Street East, Hamilton (Memorial Public School), shown in Appendix A attached to Report PED25033, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description

of Heritage Attributes, attached as Appendix B to Report PED25033, subject to the following:

- (i) If no objections are received to the notice of intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (ii) If an objection to the notice of intention to designate is received in accordance with the Ontario Heritage Act, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

**CARRIED**

**8.2 PED25034**  
**Recommendation to Designate 801 Dunsmure Road, Hamilton (W. H. Ballard Public School), under Part IV of the *Ontario Heritage Act* (Ward 4)**

Scott Dickinson, Cultural Heritage Planner, addressed Committee respecting Report PED25034, Recommendation to Designate 801 Dunsmure Road, Hamilton (W. H. Ballard Public School), under Part IV of the *Ontario Heritage Act*, with the aid of a PowerPoint presentation.

**(Carroll/Burke)**

That report PED25034, dated February 28, 2025, respecting the Recommendation to Designate 801 Dunsmure Road, Hamilton (W. H. Ballard Public School), under Part IV of the *Ontario Heritage Act*, and accompanying presentation, be received, and the following recommendations be approved:

- (a) That the City Clerk **BE DIRECTED** to give notice of Council's intention to designate 801 Dunsmure Road, Hamilton (W. H. Ballard Public School), shown in Appendix A attached to Report PED25034, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix B to Report PED25034, subject to the following:
  - (i) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;

- (ii) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

**CARRIED**

**8.3 PED25087**

**Notice of Intention to Demolish the Building Located at 46 Ferguson Street South, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (Ward 2)**

**(Douglas/Burke)**

That Report PED25087, dated February 28, 2025, respecting a Notice of Intention to Demolish the Building Located at 46 Ferguson Street South, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register, be received, and the following recommendations be approved:

- (a) That the non-designated property located at 46 Ferguson Avenue South, Hamilton, be **REMOVED** from the Municipal Heritage Register.

**CARRIED**

**8.4 PED25043**

**Monthly Report on Proactive Listings for the Municipal Heritage Register, February 2025 (Ward 2)**

**(MacLaren/Kroetsch)**

That Report PED25043, dated February 28, 2025, respecting a Monthly Report on Proactive Listings for the Municipal Heritage Register, February 2025, be received, and the following recommendations be approved:

- (a) That staff **BE DIRECTED** to list 231 Bay Street North, Hamilton, on the Municipal Heritage Register as a non-designated property, as outlined in Report PED25043, in accordance with Section 27 of the *Ontario Heritage Act*.

**CARRIED**

**9. MOTIONS**

There were no Motions.

**10. NOTICE OF MOTIONS**

There were no Notice of Motions.



## **11. GENERAL INFORMATION / OTHER BUSINESS**

### **11.1 Selecting Members to Attend the 2025 Ontario Heritage Conference being held on June 19-21, 2025, in Prince Edward County**

#### **(Burke/Kroetsch)**

- (a) That the following members of the Hamilton Municipal Heritage Committee be designated as the Committee's representative at the Ontario Heritage Conference on June 19-21, 2025:
  - (i) Graham Carroll
  - (ii) Lyn Lunsted
  - (iii) Alissa Denham-Robinson
- (b) That the cost incurred by the Committee's representatives attending the 2025 Ontario Heritage Conference for the conference, accommodations, and travel, be reimbursed from Account #56328-814000.

**CARRIED**

Chair A. Denham-Robinson relinquished the Chair to Vice-Chair G. Carroll in order to introduce the following Item.

### **11.2 Ontario Heritage Week**

A. Denham-Robinson provided Committee with a verbal update respecting Ontario Heritage Week held on February 17-23, 2025.

#### **(Spolnik/Lunsted)**

That the verbal update from A. Denham- Robinson respecting Ontario Heritage Week, be received.

**CARRIED**

A. Denham-Robinson assumed the Chair.

### **11.3 Heritage Buildings and Landscapes Watch List**

Committee members provided brief updates on properties of interest.

#### **(Carroll/Burke)**

- (a) That the following properties be removed from the Heritage Buildings and Landscapes Watch List:
  - (i) 18-22 King Street East, Gore Buildings (D) – C. Kroetsch
  - (i) 24-28 King Street East, Gore Buildings (D) – C. Kroetsch

- (b) That the following property be added to the Heritage Buildings and Landscapes Watch List under Buildings and Landscapes of Interest (YELLOW):

- (i) 200 Main Street E, Hamilton (First-Pilgrim United Church) – C. Kroetsch

**CARRIED**

**(Graham/Lunsted)**

That the following updates, be received:

- (a) Endangered Buildings and Landscapes (RED):  
(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

Ancaster

- (1) 372 Butter Road West, Andrew Sloss House (D) – S. Spolnik  
(2) 1021 Garner Road East, Lampman House (D) – S. Spolnik  
(3) 398 Wilson Street East, Marr House (D) – S. Spolnik

Dundas

- (4) 2 Hatt Street (R) – K. Burke  
(5) 216 Hatt Street (I) – K. Burke  
(6) 215 King Street West (R) – K. Burke  
(7) 219 King Street West (R) – K. Burke

Glanbrook

- (8) 2235 Upper James Street (R) – G. Carroll

Hamilton

- (9) 80-92 Barton Street East, Former Hanrahan Hotel (R) – S. Spolnik  
(10) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) – A. Denham-Robinson  
(11) 66-68 Charlton Avenue West (D) – C. Kroetsch  
(12) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – G. Carroll  
(13) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll  
(14) 127 Hughson Street North, Firth Brothers Building (D) – C. Kroetsch  
(15) 163 Jackson Street West, Pinehurst / Television City (D) – C. Kroetsch

- (16) 108 James Street North, Tivoli (D) – C. Kroetsch
- (17) 98 James Street South, Former James Street Baptist Church (D) – C. Kroetsch
- (18) 18-22 King Street East, Gore Buildings (D) – C. Kroetsch
- (19) 24-28 King Street East, Gore Buildings (D) – C. Kroetsch
- (20) 378 Main Street East, Cathedral Boys School (R) – S. Spolnik
- (21) 679 Main Street East / 85 Holton Street South, Former St. Giles Church (I) – G. Carroll
- (22) 120 Park Street North (R) – C. Kroetsch
- (23) 828 Sanatorium Road, Long and Bisby Building (D) – G. Carroll
- (24) 100 West 5th Street, Century Manor (D) – G. Carroll

- (b) Buildings and Landscapes of Interest (YELLOW):  
(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

#### Dundas

- (1) 64 Hatt Street, Former Valley City Manufacturing (D) – K. Burke
- (2) 24 King Street West, Former Majestic Theatre (I) – K. Burke
- (3) 3 Main Street, Former Masonic Lodge (D) – K. Burke
- (4) 23 Melville Street, Knox Presbyterian Church (D) – K. Burke
- (5) 574 Northcliffe Avenue, St. Joseph's Motherhouse (R) – L. Lunsted

#### Flamborough

- (6) 283 Brock Road, WF Township Hall (D) – L. Lunsted
- (7) 62 6th Concession East, Hewick House (I) – L. Lunsted

#### Hamilton

- (8) 1 Balfour Drive, Chedoke Estate / Balfour House, (R) – G. Carroll
- (9) 134 Cannon Street East, Cannon Knitting Mill (NOID) – C. Kroetsch
- (10) 52 Charlton Avenue West, Former Charlton Hall (D) – C. Kroetsch
- (11) 2 Dartnall Road, Rymal Road Station Silos (R) – G. Carroll
- (12) 54-56 Hess Street South (D) – C. Kroetsch
- (13) 1284 Main Street East, Delta High School (D) – G. Carroll
- (14) 311 Rymal Road East (R) – G. Carroll
- (15) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll

- (16) 56 York Boulevard / 63-76 MacNab Street North, Coppley Building (D) – G. Carroll
- (17) 84 York Boulevard, Philpott Church (NOID) – G. Carroll
- (18) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (19) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll
- (20) 4 Turner Avenue, Hamilton (R) – C. Kroetsch
- (21) 420 King St E, St. Patrick Roman Catholic Church (I) – S. Spolnik
- (22) 206-210 King Street East, Former Bremner Grocery (I) – G. Carroll
- (23) 1269 Mohawk Road, Ancaster (I) – G. Carroll
- (24) 657 King Street East, Hamilton (R) – G. Carroll
- (25) 665-667 King Street East, Hamilton (R) – G. Carroll
- (26) 90 Markland, Hamilton (D) – C. Kroetsch
- (27) 231 Bay St. N. (Gallery on the Bay/Hamilton Bridge Works Company Office) (I) – C. Kroetsch
- (28) 29 Harriet Street (Felton Brush Company) (I) – C. Kroetsch
- (29) 33 Bowen Street (Bradley Stable, Court House Hotel Stable) (R) – C. Kroetsch

Stoney Creek

- (30) 2251 Rymal Road East, Former Elfrida Church (R) – G. Carroll

- (c) Heritage Properties Update (GREEN):  
(Green = Properties whose status is stable)

Dundas

- (1) 104 King Street West, Former Post Office (R) – K. Burke

Hamilton

- (2) 46 Forest Avenue, Rastrick House (D) – G. Carroll
- (3) 88 Fennell Avenue West, Auchmar (D) – A. Douglas
- (4) 125 King Street East, Norwich Apartments (R) – C. Kroetsch
- (5) 206 Main Street West, Arlo House (R) – C. Kroetsch
- (6) 50-54 Sanders Boulevard, Binkley Property (R) – K. Burke

- (d) Heritage Properties Update (BLACK):  
(Black = Properties that HMHC have no control over and may be demolished)

Ancaster

(1) 442, 450 and 452 Wilson Street East (R) – S. Spolnik

Heritage Status: (I) Inventoried, (R) Registered, (D) Designated,  
(NOID) Notice of Intention to Designate, (NHS) National Historic  
Site

**CARRIED**

## **12. ADJOURNMENT**

There being no further business, the Hamilton Municipal Heritage Committee meeting was adjourned, at 1:01 p.m.

Respectfully submitted,

Matt Gauthier  
Legislative Coordinator  
Office of the City Clerk

Alissa Denham-Robinson  
Chair, Hamilton Municipal Heritage  
Committee



## **STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES**

### **Description of Property**

The 2.15 hectare property municipally addressed as 1175 Main Street East is comprised of a two-storey brick building constructed in 1919 known as the Hamilton Memorial Public School. The property is located on the northwest corner of the intersection of Main Street East and Ottawa Street North, in the Crown Point West Neighbourhood in the City of Hamilton.

### **Statement of Cultural Heritage Value or Interest**

The two-storey brick school located at 1175 Main Street East, known as the Hamilton Memorial Public School, was constructed in 1919. It has design and physical value as a representative example of the Collegiate Gothic style of architecture as applied to an urban elementary school, which displays a high degree of craftsmanship through the decorative patterned brickwork and elaborate stone entrance surrounds. The property is also a rare example of a Hamilton school building with a central auditorium with covered skylight and a rare surviving example of a school built to commemorate the dead of the First World War.

The historical value of the property lies in its association with the development of Hamilton's East End in the early twentieth century and the desire of Hamiltonians to memorialize the First World War. The subject property also reflects the work of prominent Hamilton-born architect George Hutton (1881-1942).

Contextually, this property is important in defining the residential character of the surrounding neighbourhood of Crown Point West. It is historically, visually, and functionally linked to its surroundings, being on its original location at the intersection of Main Street East and Ottawa Street North. This large and distinctive structure situated along a major thoroughfare has been well-known to generations of Hamilton students and is considered a local landmark.

### **Description of Heritage Attributes:**

Key attributes that embody the physical value of the property as being a representative twentieth-century Collegiate Gothic brick school, a rare example of a Hamilton school building with a central auditorium, its association with the desire of Hamiltonians to memorialize the First World War, and in demonstrating a high degree of craftsmanship, include:

- All elevations and roofline of the two-storey 1919 original school building, including its:
  - Rectangular plan with blind end pavilions;
  - Brick facades with stone accents;

**Appendix 'A' to Item 8.1 of HMHC Minutes 25-002****Page 2 of 3**

- Crenelated brick parapet with stone accents and moulded cornice;
  - Main entrance on the front (south) elevation, including its:
    - Projecting frontispiece topped by carved stone tablets with floral motif flanked by carved stone spires;
    - Carved date stone reading "1914- Memorial School-1918" with floral motif;
    - Projecting entryway in the centre of the frontispiece with crenelated stone parapet with brick accents featuring carved stone spindles and the former coat of arms of the City of Hamilton showing the Steamship, Beaver and Beehive; and,
    - Recessed gated opening below the parapet with elaborate stone moulding under a pointed arch with the words, "We gave Our today for your tomorrow/ We died that you might live" in relief above the arch;
  - Projecting decorative brick panels on the front (south) elevation, including its:
    - Dichromatic brickwork in lozenge pattern with floral stone accents;
    - Horizontal and vertical stone banding with quoins; and
    - Stone tablet with floral motif flanked by stone spires;
  - Projecting entrances on both side (east and west) elevations, including the:
    - Pointed arch door openings;
    - Recessed entrances with stone moulding;
    - Elaborate stone reliefs with a floral motif and shaped transom; and,
    - Brick pilasters supporting the raised parapet with carved stone spindles and stone plaques, each entrance having the name of a different famous Canadian soldier: Major-General Sir Edward W. B. Morrison; General Sir Arthur Currie; Lieutenant-Colonel John McCrae; and Lieutenant-Colonel William A. Bishop;
  - Horizontal stone banding; and,
  - Grouped windows with stone window surrounds.
- Interior features of the central auditorium in the 1919 original school building, including its:
    - Coffered ceiling supported by Composite order capitals on brackets;
    - Mural banner over the stage reading, "That our youth may ever remember the valiant men of Hamilton who died in the Great War, this school is a memorial";
    - Moulded proscenium over the stage;
    - Seventeen painting plaques bearing the names of First World War battles in which Canadian troops participated, arranged under the arched openings of the second-floor gallery;
    - Alternating coat of arms of Canada and the United Kingdom arranged on columns supporting the second-floor gallery between painted plaques; and,

**Appendix 'A' to Item 8.1 of HMHC Minutes 25-002****Page 3 of 3**

- Sixteen bronze plaques, each bearing the names of 132 Hamiltonians who died in the First World War, arranged on columns below the coat of arms.
- All elevations and roofline of the two-storey 1921 Manual Arts Building annex, including its:
  - Brick facades with stone accents;
  - Crenelated parapet with dichromatic brick decorations, moulded cornice, and carved stone reading “Manual Arts”;
  - Former entrances with brick pilasters topped with capstones supporting carved stone spires;
  - Horizontal stone banding; and,
  - Stone window surrounds with quoins.
- The concrete plaque reading “Manual Training”, originally part of the entrance to the 1921 annex and relocated to the east elevation of the single-storey 1994 brick addition.

The modern gymnasium, built 1970, and single-storey addition, built 1990 to connect the 1919 original school to the 1921 Manual Arts Building annex, are not considered to have heritage value or interest.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of the Crown Point West Neighbourhood include its:

- Location at intersection of Main Street East and Ottawa Street North;
- Deep setbacks of the original 1919 building from Main Street East and Ottawa Street North; and,
- Shallow setback of the 1921 Manual Arts Building annex to Ottawa Street North.

## STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES

### Description of Property

The 1.09-hectare property municipally addressed as 801 Dunsmure Road is comprised of a three-storey school building constructed 1922, known as the W.H. Ballard Public School. The property occupies the block formed by Dunsmure Road, Tragina Avenue North, Roxborough Avenue and Weir Street North, in the historic Homeside Neighbourhood in the City of Hamilton.

### Statement of Cultural Heritage Value or Interest

The 1922 three-storey school building located at 801 Dunsmure Road has design and physical value as it is a representative example of the Collegiate Gothic style of architecture as applied to an urban elementary school and as a rare example of a Hamilton school building with a central auditorium and covered light well. The property displays a high degree of craftsmanship, demonstrated by its elaborate three-storey round stone front bay with carved parapet and decorative brick and stone detailing throughout. The property also displays a high degree of technical achievement through the early use of a steel-frame structure as applied to a school building in Canada.

The historical value of the property lies in its association with prominent local educator and long serving Inspector of Public Schools William Henry Ballard (1845-1934), in whose honour the school was named, and with the theme of Hamilton's industrial expansion in the twentieth century. The property is also associated with the prominent architectural firm of Warren and McDonnell, who were also responsible for the construction of the former Princess Elizabeth School (1922), which is a designated property under the *Ontario Heritage Act*.

Contextually, this property is important in defining the character of the historic Homeside Neighbourhood. It is historically and visually linked to its surroundings, being on its original location on an entire block in the centre of Homeside. This large and distinctive structure dominates the surrounding area, has been well-known to generations of Hamilton students and is considered to be a local landmark.

### Description of Heritage Attributes

Key attributes that embody the physical value of the property as being a representative twentieth-century Collegiate Gothic school, a rare example of a Hamilton school building with a central auditorium, in demonstrating a high degree of craftsmanship, in demonstrating a high degree of technical achievement, and the historical value for its associations with William Henry Ballard, include:

- All four elevations and roofline of the original 1922 school building, including its:
  - Three-storey massing;

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- Rectangular plan with flanking blind end pavilions to the north and south;
  - Brick exterior cladding;
  - Brick parapet with capstones and moulded cornice;
  - Central three-storey decorative bay in the front (south) elevation, including its:
    - Main entrance on the ground floor with an arched door opening with elaborate carved details;
    - Portico with plain Doric columns supporting the entablature with triglyphs, carved plaque reading "W. H. Ballard School", dentils, moulded cornice, and elaborate finials; and,
    - Round stone bay in the upper storeys with elaborate carved stone parapet, carved stone tablets including the central plaque showing 1922 as the year of construction, flanked by plaques showing the former City of Hamilton crest and the crest of Ontario, on the left and right respectively;
  - Shaped brick parapet with carved stone panel flanked by finials over a round stone bay;
  - Three-storey projecting bays highlighting the entrances on side (east and west) elevations, including:
    - Carved stone door surrounds with stone reliefs reading either "BOYS" or "GIRLS" under a stone moulding;
    - Dichromatic brick decorations;
    - Paired windows in the upper storeys; and,
    - Brick pilasters supporting a moulded cornice with carved stone crests topped by decorative carved stone panels flanked finials;
  - Projecting brick panels on blind end pavilions with dichromatic bricks in lozenge pattern topped by moulded cornice. On the front (south) elevation, the moulded cornice over the blind end pavilions is supported by carved stone crests surmounted by carved stone panels flanked by finials;
  - Window openings grouped in sets of five with continuous stone lug sills and stretcher brick window surrounds; and,
  - Horizontal and vertical stone banding with decorative carved stone inset plaques on front (south) elevation.
- Interior features of the central auditorium in the 1922 original building, include its:
    - Steel-frame construction; and,
    - Central two-storey auditorium with third storey classrooms supported by steel trusses overhead.

The 1978 gymnasium addition and the replacement windows in the original 1922 school building are not considered to be of heritage value or interest.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of Homeside and as a neighbourhood landmark, include its:

**Appendix 'B' to Item 8.2 of HMHC Minutes 25-002**

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- Location filling the entire block bordered by Dunsmure Road, Tragina Avenue North, Roxborough Avenue and Weir Street North; and,
- Moderate setback from the public right-of-way along Dunsmure Road to the south and Tragina Avenue North and Weir Street North to the east and west.



# CITY OF HAMILTON

## MOTION

Planning Committee Meeting: March 18, 2025

**MOVED BY COUNCILLOR M. WILSON.....**

**SECONDED BY COUNCILLOR .....**

### **Permit Reform Process**

WHEREAS, the Government of Ontario has set a goal of building at least 1.5 million homes by 2031 and has assigned the province's 50 largest municipalities, including the City of Hamilton, with housing targets to help meet this goal;

WHEREAS, the City of Hamilton has a 47,000 new homes target;

WHEREAS, the Government of Ontario's Housing Affordability Task Force found that Ontario parents and grandparents are worried that their children will not be able to afford a home when they start working or decide to start a family and that too many Ontarians are unable to live in their preferred city or town because they cannot afford to buy or rent;

WHEREAS, the Government of Ontario's Housing Affordability Task Force found that more density is needed across the province, that cities and towns need to end exclusionary rules that block or delay new housing and municipal councils need to work to prevent abuse of the housing appeals process;

WHEREAS, the Smart Prosperity Institute's report "Who Will Swing the Hammer" (May 2023) reported that Hamilton is struggling to attract young workers and retain young families and will have increased difficulty competing with cities like Ottawa and Calgary for talent due to a lack of attainable housing;

WHEREAS, the Smart Prosperity Institute's report stated that without significant reforms, the problem of a lack of attainable housing for families in Hamilton is likely to get worse;

WHEREAS, a municipality's development approvals process and building permit process impact the ease and cost of building housing;

WHEREAS, a 2024 municipal benchmarking study of land-use planning policy-related factors prepared for the Canadian Homebuilders' Association by the Altus Group ranked the City of Hamilton last out of 23 municipalities in estimated land use approval times;

WHEREAS, annual reporting on housing activity would uphold City Council's commitment to communicate in an accessible and transparent manner;

WHEREAS, a review of the City of Hamilton's land-use planning approval system is part of Council's commitment to continuous improvement and an effort to get housing built.

THEREFORE BE IT RESOLVED:

1. That Planning and Economic Development and Public Works staff be requested to develop an action plan to improve the timeliness, efficiency, customer service and accessible navigation of the development approvals and building permit processes to facilitate the construction of new housing supply;
2. That this action plan be informed by stakeholder participation from the development industry and other community stakeholders tasked with an assessment of lessons learned from the All4One Bloomberg pilot and other municipal best practices with terms of reference determined by the Mayor and City Manager;
3. That the Mayor of Hamilton and City Manager be requested to report back to members of Planning Committee with information on these said terms of reference and stakeholder membership by Q2, 2025
4. That the scope of this review and action plan include but not be limited to:
  - a) The formal consultation process and the completed application requirements
  - b) The site plan control process
  - c) The subdivision process
  - d) Engineering reviews, and
  - e) Conditional building permits
  - f) A review of the number and type of submission requirements including consultant reports, plans and studies that are required by the City through the planning approval process and the material impact on project outcomes;
  - g) An assessment of Hamilton's current official plan and zoning frameworks in terms of Council's commitment to continuous improvement and an effort to get housing built.
5. That Planning and Economic Development staff be requested to compile and report on housing activity as part of the Planning Division's annual Market and Land Supply Monitoring report including but not limited to:
  - a) The number of planning approvals issued for new low-density, mid-rise and high-density units and their locations in Hamilton;
  - b) The number of building permits issued for new low-density; mid-rise and high-density units and their locations in Hamilton;
  - c) The average size of units;
  - d) The achieved timelines for housing application and permit approvals and how these timelines compare with neighbouring GTHA, Brantford, Niagara, Kitchener, Waterloo and Guelph municipalities.

6. That future annual reports on housing activity include any additional KPIs identified by the forthcoming work of the Mayor's task force on the development approvals and building permit processes.

# CITY OF HAMILTON

## NOTICE OF MOTION

Planning Committee Meeting: March 18, 2025

**MOVED BY COUNCILLOR C. CASSAR.....**

### **Feasibility of Permitting Chickens and Roosters within the Settlement Residential (S1) Zones**

WHEREAS many farm animals, including chickens and roosters are already permitted in Hamilton's rural residential areas;

WHEREAS Zoning in Rural Settlement Areas (S1 Zone) prohibits the keeping of farm animals, including chickens and roosters;

WHEREAS in recent years, the cost of food has increased significantly making household budgeting difficult for many residents;

WHEREAS hens are relatively inexpensive and one hen can produce approximately 260-360 eggs per year depending on the breed;

WHEREAS free range eggs sold by local grocery stores are considerably more expensive at over \$8 per dozen;

WHEREAS hens are extremely efficient at breaking down household scraps and turning that into fertilizer and enriching the soil;

WHEREAS ticks and associated illnesses are a growing health concern that can be mitigated by hen keeping;

WHEREAS backyard hens help to reduce negative impacts on the climate by eliminating the need for eggs to be transported to market;

WHEREAS allowing chickens and roosters in Rural Settlement Areas (S1 Zone) would improve access to affordable and nutritious food close to home;

**THEREFORE BE IT RESOLVED:**

That Animal Services, Municipal Law Enforcement, and Planning staff be directed to explore the feasibility of permitting chickens and roosters as permitted Agricultural uses within the Settlement Residential (S1) Zone and report back to Planning Committee in Q4, 2025.