



PLANNING COMMITTEE

MINUTES 16-007

9:30 a.m.

Tuesday, April 19, 2016

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors B. Johnson (Chair), M. Pearson (1st Vice-Chair), A. Johnson (2nd Vice Chair), D. Conley, J. Farr, C. Collins, M. Green, R. Pasuta, J. Partridge and D. Skelly.

THE FOLLOWING ITEMS WERE REPORTED FOR THE CONSIDERATION OF COUNCIL:

- 1. Committee of Adjustment Minor Variance Application GL/A-15:317 for the Property Located at 22 Bellstone Lane (Glanbrook), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED16087) (Ward 11) (Item 5.1)**

(Pearson/Conley)

That Report PED16087 respecting Committee of Adjustment Minor Variance Application GL/A-15:317 for the Property Located at 22 Bellstone Lane (Glanbrook), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment be received.

CARRIED

- 2. Committee of Adjustment Consent Application AN/B-15:106 and Minor Variance Application AN/A-15-365 for the Properties Located at 27 & 29 Oldoakes Place (Ancaster), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED16088) (Ward 12) (Item 5.2)**

(Pearson/Partridge)

That Report PED16088 respecting Committee of Adjustment Consent Application AN/B-15:106 and Minor Variance Application AN/A-15-365 for the Properties Located at 27 & 29 Oldoakes Place (Ancaster), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment be received.

CARRIED

3. Hamilton Municipal Heritage Committee Report 16-003 (Item 5.3)

(Partridge/Collins)

(a) Inventory and Research Working Group Meeting Notes – February 22, 2016)

(i) 601 Barton Street East, Hamilton (Former Gibson School)

- (1) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes for 601 Barton Street East, Hamilton, attached as Appendix “A” be approved.
- (2) That the Notice of Intention to Designate 601 Barton Street East, Hamilton attached as Appendix “B”, be approved-
- (3) That the City Clerk be directed to take appropriate action to serve Notice of Intention to Designate 601 Barton Street East, Hamilton, under Part IV of the Ontario Heritage Act on the owner of the property and on the Ontario Heritage Trust, and to publish the Notice of Intention to Designate in a newspaper having general circulation in the municipality.

CARRIED

4. Proposed Zoning By-law Amendment for Lands Located at 219 Dundas Street East, Waterdown (PED16086) (Ward 15) (Item 6.2)

(Partridge/Conley)

That approval be given to Revised Zoning By-law Amendment Application ZAC-15-027, by Dawn Victoria Homes (Burlington), Owner, for a change in zoning from the Urban Commercial “UC” Zone to the Medium Density Residential “R6-44” Zone, Modified, in order to permit a 46-unit mixed-use development consisting of a total of 40 residential units and six at-grade commercial units fronting Dundas Street East, for the lands located at 219 Dundas Street East, Waterdown, as shown on Appendix “A” to Report PED16086, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED16086, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed changes in zoning are consistent with the Provincial Policy Statement (PPS), conform to the Places to Grow – Growth Plan, and comply with the Urban Hamilton Official Plan (UHOP).

CARRIED

5. City Initiated Official Plan Amendment and Application for a Zoning By-law Amendment for Lands Located at 3 Shippee Avenue, Stoney Creek (PED16093) (Ward 11) (Item 6.3)

(B. Johnson/Conley)

- (a) That approval be given to City Initiative CI-16-D, for Urban Hamilton Official Plan Amendment No. XX, to correct text errors within the Urban Lakeshore Secondary Plan for lands located 3 Shippee Avenue (Stoney Creek), as shown on Appendix "A" to Report PED16093, on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED16093, be adopted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014), and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow);
- (b) That approval be given to Zoning Application ZAC-15-045, by Fifty Road Joint Venture, Owner, for a change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential – One "R1-6(H)" Zone, Modified, Holding to permit the development of five lots for single detached dwellings on lands located at 3 Shippee Avenue (Stoney Creek), as shown on Appendix "A" to Report PED16093, on the following basis:
- (i) That the draft By-law, attached as Appendix "C" to Report PED16093, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. XX.

CARRIED

6. City-Initiated Application to Amend the Zoning By-law for Lands Located at 1055 and 1099 King St. E. and 876 Cannon St. E. (South Stadium Precinct) and 60 Balsam Ave. N. (PED16064) (Ward 3) (Item 6.4)

(Green/Partridge)

- (a) That approval be given to City-Initiated Zoning By-law Amendment Application CI-15-G, for a change in zoning:
- (i) from the Neighbourhood Park (P2) Zone and the "C" District (Urban Protected Residential, Etc.) District to the Community Institutional (I2, xx) Zone, with a Special Exception, to facilitate the

redevelopment of the South Stadium Precinct including a new public Secondary School, open space / park and the Bernie Morelli Recreation Centre / Jimmy Thompson Memorial Pool; and,

- (ii) from the Neighbourhood Institutional (I1) Zone to the Neighbourhood Institutional (I1, xxx) Zone, with a Special Exception, to permit parking spaces required for uses in the South Stadium Precinct to be located at 60 Balsam Avenue North (former Parkview Secondary School);

as shown on Appendix "A" to Report PED16064, on the following basis:

- (1) That the draft By-law, attached as Appendix "B" to Report PED16064, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (2) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and complies with the Urban Hamilton Official Plan.
- (b) That upon final approval of Recommendation a) to Report PED16064, the Stipeley Neighbourhood Plan be amended to change the designation of a portion of the South Stadium Precinct from "Park and Recreational" to "Civic and Institutional", as shown on Appendix "C" to Report PED16064.
 - (c) That the designation of Jimmy Thompson Memorial Pool, located at 1099 King Street East in Hamilton, under Part IV of the *Ontario Heritage Act* be assigned a high priority and added to the Cultural Heritage staff work program for completion in 2018, as per Appendix "D" to Report PED16064.
 - (d) That the Request to Designate 1099 King Street East (Hamilton) (Jimmy Thompson Memorial Pool) Under Part IV of the *Ontario Heritage Act* (PED13182) (Ward 3) be removed from the Outstanding Business List.

CARRIED

7. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (City Wide) (PED16096) (Item 8.1)

(Partridge/Collins)

That Report PED16096 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications be received.

CARRIED

8. Transportation Demand Management Measures - Hamilton Municipal Parking System (PED16092) (City Wide) (Item 8.2)

(A. Johnson/Conley)

That Report PED16092 respecting Transportation Demand Management Measures - Hamilton Municipal Parking System be received.

CARRIED

9. Overview of Parking Reserve Account 108021 (PED16097) (City Wide) (Item 8.3)

(Pearson/Farr)

That Report PED16097 respecting Overview of Parking Reserve Account 108021 be received.

CARRIED

10. Update on Request for Information – Downtown Parking Structure (PED16105) (Ward 2) (Outstanding Business List Item) (Item 8.4)

(Farr/Collins)

(a) That staff report to the General Issues Committee on the outcome of the direction provided in Closed Session;

(b) That Appendix “A” to Report PED16105 remain confidential and restricted from public disclosure.

CARRIED

11. Update on Redevelopment of a City of Hamilton Owned Surface Parking Lot (PED16104) (Outstanding Business List Item) (Item 8.5)

(Farr/Partridge)

(a) That staff be directed, in accordance with the Portfolio Management Strategy, to circulate all City-owned surface parking lots identified in Report PED16104 for potential surplus, and report to the Planning Committee with a recommended disposition strategy for each lot recommended as surplus to the City’s needs;

(b) That subject to the nature of the disposition strategy identified under subsection (a), staff be authorized and directed, in consultation with the local Councillor, to establish a suitable representative stakeholder advisory committee;

(c) That Appendix “B” to Report PED16104 remain confidential and restricted from public disclosure.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

AMENDED BY-LAW

- 6.2 Proposed Zoning By-law Amendment for Lands Located at 219 Dundas Street East, Waterdown (PED16086) (Ward 15)

Appendix "B" – replaces the by-law printed in the agenda.

ADDED WRITTEN COMMENTS

- 6.2(i) Kevin Urbanic, 28 Culotta Drive, Waterdown respecting Proposed Zoning By-law Amendment for Lands Located at 219 Dundas Street East, Waterdown (PED16086) (Ward 15)

ADDED NOTICES OF MOTION

- 10.1 The Road Widening Policy with Respect to 221 Wellington Street North
- 10.2 Temporary Exemption for Grace Christian School, 497 Millgrove Sideroad and other elementary and high schools in Ward 15 from the City's Parkland By-law

ADDED NEW DUE DATE TO OUTSTANDING BUSINESS LIST

- 11.1(a) New due dates required:

Item "JJ" - Staff to report back on discussion with CHH re: feasibility of constructing affordable housing on underutilized City parking lots

Due Date: April 19, 2016

Proposed New Due Date: September 20, 2016

(Partridge/Skelly)

That the agenda for the April 19, 2016 meeting be approved as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) April 5, 2016 Meeting (Item 3.1)

(Pearson/Conley)

That the Minutes of the April 5, 2016 meeting be approved.

CARRIED

(d) DELEGATIONS/PUBLIC HEARING (Item 6)

(i) James Webb, of WEBB Planning Consultants on behalf of 1435576 Ontario Limited, the developer of the Southcote Woodlands Plan of Subdivision to request the lifting of a one foot reserve request adjacent to Block 118 of the subdivision to permit the development of a single family dwelling. (Approved March 22, 2016) (Item 6.1)

James Webb addressed Committee and copies of a hand-out outlining the matter were distributed. A copy is available for viewing on the City's website and a copy has been included in the public record.

(Conley/Pearson)

That the delegation be received.

CARRIED

(Skelly/Pearson)

That the request from James Webb, of WEBB Planning Consultants on behalf of 1435576 Ontario Limited, the developer of the Southcote Woodlands Plan of Subdivision respecting the lifting of a one foot reserve request adjacent to Block 118 of the subdivision to permit the development of a single family dwelling be referred to staff for report back to Committee.

CARRIED

(ii) Proposed Zoning By-law Amendment for Lands Located at 219 Dundas Street East, Waterdown (PED16086) (Ward 15) (Item 6.2)

In accordance with the provisions of the *Planning Act*, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Written Comments

6.2(i) Kevin Urbanic, 28 Culotta Drive, Waterdown

(Partridge/Pasuta)

That the added written comments Item 6.2(i) be received.

CARRIED

Madeleine Giroux, Planner, provided an overview of the staff report with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website. She responded to questions from Committee.

(Partridge/Pearson)

That the staff presentation be received.

CARRIED

James Webb of WEBB Planning Consultants representing the applicant was in attendance and made a few comments which included, but were not limited to the following:

- Don Husack, the owner, is in attendance;
- They are in full support of what is before Committee today;
- They wish to express their appreciation to City staff and the Ward Councillor;
- There have been considerable changes to the application;
- This is a good example of how to take a file and through rezoning come up with a development that is a good fit;
- They recognize that grading is an issue;
- In order to avoid flooding, they won't be raising the surface grade;
- There will be further refinement to the architectural style.

James Webb responded to questions from Committee.

Registered Speaker

1. Kevin Urbanic, 28 Culotta Drive, Waterdown

Kevin Urbanic addressed Committee and his comments included but were not limited to the following:

- He is in support of the proposed development but has questions concerning parking, drainage and grading.

(Conley/Farr)

That the delegation be received.

CARRIED

(Partridge/Pasuta)

That the public meeting be closed.

CARRIED

For disposition of this matter refer to Item 4.

Chair B. Johnson relinquished the Chair to Vice Chair Pearson before consideration of the following Item.

(iii) City Initiated Official Plan Amendment and Application for a Zoning By-law Amendment for Lands Located at 3 Shippee Avenue, Stoney Creek (PED16093) (Ward 11) (Item 6.3)

In accordance with the provisions of the *Planning Act*, Vice Chair Pearson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan and Zoning By-law amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No one from the public came forward.

Staff responded to questions from the Ward Councillor respecting Windermere Road and Shippee Road regarding the installation of water, sewers and sidewalks.

(Partridge/Green)

That the information provided by staff be received.

CARRIED

Franz Kloibhofer from AJ Clarke & Associates was in attendance and he advised that they are in support of the staff Report.

For disposition of this matter refer to Item 5.

Chair B. Johnson assumed the Chair.

(iv) City-Initiated Application to Amend the Zoning By-law for Lands Located at 1055 and 1099 King St. E. and 876 Cannon St. E. (South Stadium Precinct) and 60 Balsam Ave. N. (PED16064) (Ward 3) (Item 6.4)

In accordance with the provisions of the *Planning Act*, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding

the Official Plan and Zoning By-law amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Alan Waterfield, Senior Planner, provided an overview of the Report with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website. He responded to questions from Committee.

(Green/Conley)

That the staff presentation be received.

CARRIED

Speaker

1. John McGreal, 1003-1868 Main Street, West Hamilton

John McGreal addressed Committee and his comments included but were not limited to the following:

- The students will be transferred from other inner City schools;
- At the Board of Education meeting, they are ready to go ;
- The sooner the by-law is passed, the sooner they can apply for the building permit;
- The construction of the recreation centre is long overdue;
- If the school is delayed, the centre will be delayed – both were to be coordinated at the same time;

(Green/Farr)

That the delegation be received.

CARRIED

(Green/Partridge)

That the public meeting be closed.

CARRIED

For disposition of this matter refer to Item 6.

(Farr/Green)

That appropriate staff be directed to report back on the feasibility, including the costs, of building a foundation that would support greater density above the Bernie Morelli Recreation Centre, in the future.

DEFEATED

(e) DISCUSSION ITEMS (Item 8)

- (i) Transportation Demand Management Measures - Hamilton Municipal Parking System (PED16092) (City Wide) (Item 8.2)**

(Farr/A. Johnson)

That appropriate Parking staff be directed to work with Transportation Demand Management (TDM) staff on a comprehensive plan that seeks to further improve Council's module split mandate and report back to Committee on this plan.

WITHDRAWN

For disposition of this matter refer to Item 8.

- (iv) Update on Request for Information – Downtown Parking Structure (PED16105)(Ward 2) (Outstanding Business List Item) (Appendix “A” is distributed under separate cover.)(Item 8.4)**

(Farr/A. Johnson)

That consideration of this report be deferred to the Private and Confidential section of the agenda.

CARRIED

- (v) Update on Redevelopment of a City of Hamilton Owned Surface Parking Lot (PED16104) (Outstanding Business List Item) (Appendix “B” is distributed under separate cover.) (Item 8.5)**

(Farr/A. Johnson)

That consideration of this report be deferred to the Private and Confidential section of the agenda.

CARRIED

(f) NOTICES OF MOTION (Item 10)

Councillor Farr introduced the following Notice of Motion:

- (i) The Road Widening Policy with Respect to 221 Wellington Street North (Added 10.1)**

WHEREAS, a road widening or alternative road widening requirement may be applied where the increase in gross floor area is less than 30% of the existing gross floor area;

WHEREAS, the owner of 221 Wellington Street North is proposing an addition which exceeds the 30% threshold;

WHEREAS, the requirement for a road widening should consider factors such as the form of development on the property and the abutting property and Council mandates respecting Pedestrian Mobility and Transportation Demand Management;

WHEREAS, Planning Division staff have proposed revisions to the Official Plan to permit alternative road widening requirements to facilitate development and redevelopment within established areas; and

WHEREAS, a reduced road widening from 3.0 m to 1.92 metres will provide for a balance between the safe planned function of Wellington Street and the existing built form;

NOW THEREFORE BE IT RESOLVED:

That with respect to 221 Wellington Street North, the road widening policy be revised to authorize the Director of Planning and Chief Planner to require a road widening of approximately 1.92 metres for the lands known municipally as 221 Wellington Street North to permit an increase in gross floor area of approximately 50%.

Councillor Pearson introduced the following Notice of Motion on behalf of Councillor Partridge:

(ii) Temporary Exemption for Grace Christian School, 497 Millgrove Sideroad and other elementary and high schools in Ward 15 from the City's Parkland By-law (Added 10.2)

WHEREAS, Grace Christian School located at 497 Millgrove Sideroad has made application for Site Plan Approval (DA-15-085) and Building Permit Approval;

WHEREAS, the Grace Christian School playground area will contain new soccer fields and amenities which will be open for the public to use to meet the parkland needs of the rural community in Ward 15 and beyond;

WHEREAS, the school has worked with the local soccer club to provide practice fields and will continue to do so;

WHEREAS, the City of Hamilton Parkland By-law exempts institutional uses, but not elementary and secondary schools, from the requirement to pay cash-in-lieu or dedicate parkland;

WHEREAS, the City of Hamilton Parkland By-law provides for Council to exempt a specified type or class of development or redevelopment, either City wide or in a specified geographic area, from the requirements of the Parkland By-law; and

WHEREAS, it is appropriate to exempt Grace Christian School and other schools in the rural area which make their facilities available to the broader rural community from the parkland dedication requirement;

NOW THEREFORE BE IT RESOLVED:

That elementary and high schools within the rural area of Ward 15 are hereby exempt from the requirements of the City of Hamilton Parkland By-law for a 6 month period to expire on November 1, 2016.

(g) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Outstanding Business List (Item 11.1)

(Conley/Pearson)

(a) That the following New due dates be approved:

Item "H" - Request to Designate 437 Wilson Street East (Ancaster)
Under Part IV of the Ontario Heritage Act (PED12166)
Due Date: April 19, 2016
Proposed New Due Date: August 9, 2016

Item "L" - Amendments to Licensing By-law, Schedule 25 –
Taxicabs (PED14144)
Due Date: April 19, 2016
Proposed New Due Date: December 2017

Item "M" - Hamilton Municipal Heritage Committee Report 14-009
recommendations to include 206, 208 and 210 King Street East in
the Register of Property of Cultural Heritage Value or Interest and
to staff's designation work program be referred to staff for further
consultation with the owner and the Ward Councillor and report
back.
Due Date: April 19, 2016
Proposed New Due Date: August 9, 2016

Item "P" - Planning Application Fees – options of providing the GM
the discretion to waive the applicable fees for charities and not-for-
profit organizations.
Due Date: April 19, 2016
Proposed New Due Date: May 17, 2016

Item "R" - Staff to report back on Feasibility of Licensing Cats in Urban area
Due Date: April 19, 2016
Proposed New Due Date: May 17, 2016

Item "Y" - Item 5 of HMHC Report 15-005 re: inclusion of 1021 Garner Rd E on register of properties of cultural heritage value or interest.
Due Date: April 19, 2016
Proposed New Due Date: September 6, 2016

Item "EE" - Staff to report back on process to permit LED signs in Sign By-law
Due Date: April 19, 2016
Proposed New Due Date: May 3, 2016

Item "JJ" - Staff to report back on discussion with CHH re: feasibility of constructing affordable housing on underutilized City parking lots
Due Date: April 19, 2016
Proposed New Due Date: September 20, 2016

Item "KK" - GM to report back concerning correspondence from the Minister of Transportation re: Climate Change Strategy and public electric vehicles (EV) charging stations.
Due Date: April 19, 2016
Proposed New Due Date: May 3, 2016

Item "OO" - Staff to report back on operation of illegal massage parlours in the City, highlight enforcement challenges and impact of recent Federal sex trade laws.
Due Date: April 19, 2016
Proposed New Due Date: May 31, 2016

(b) That the following Items be removed:

Item "X" – Reporting tool that seeks to monitor zoning applications where the 120 or 180 day statutory timeline applies.
(Item 8.1 on this agenda)

Item "HH" - Staff to report back with the results of a potential agreement for additional parking in the downtown (PED1518)
(Item 8.4 on this agenda.)

CARRIED

(h) PRIVATE AND CONFIDENTIAL (Item 12)

(Farr/A. Johnson)

That Committee move into Closed Session at 11:47 a.m. to discuss Appendix “A” of Item 8.4 entitled “Update on Request for Information – Downtown Parking Structure (PED16105)(Ward 2)” and Appendix “B” of Item 8.5 entitled “Update on Redevelopment of a City of Hamilton Owned Surface Parking Lot (PED16104)” pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes:

CARRIED

Committee reconvened in Open Session at 12.30 p.m.

(i) Update on Request for Information – Downtown Parking Structure (PED16105)(Ward 2) (Outstanding Business List Item) (Item 8.4)

Direction was given to staff in Closed Session with nothing to report in Open Session. For further disposition of this matter refer to Item 10.

(ii) Update on Redevelopment of a City of Hamilton Owned Surface Parking Lot (PED16104) (Outstanding Business List Item) (Item 8.5)

For disposition of this matter refer to Item 11.

(i) ADJOURNMENT (Item 13)

(Pearson/Skelly)

There being no further business, that the Planning Committee be adjourned at 12:35 p.m.

CARRIED

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk