



## **PLANNING COMMITTEE**

### **REPORT 18-003**

**9:30 a.m.**

**Tuesday, February 20, 2018**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

**Present:** Councillors A. Johnson (Chair), J. Farr (1<sup>st</sup> Vice-Chair), M. Green, C. Collins, M. Pearson, D. Skelly, R. Pasuta and J. Partridge

**Absent with**

**Regrets:** Councillor B. Johnson, City Business  
Councillor D. Conley (2<sup>nd</sup> Vice-Chair) Personal

### **THE PLANNING COMMITTEE SUBMITS REPORT 18-003 AND RESPECTFULLY RECOMMENDS:**

1. **Appeal to the Ontario Municipal Board (OMB) for Lack of Decision on Urban Hamilton Official Plan Amendment Application UHOPA-13-008, Town of Flamborough Zoning By-law No. 90-145-Z Amendment Application ZAC-13-039 and Draft Plan of Subdivision Application 25T-201306 for Lands Located at 111 Parkside Drive (Flamborough) (Ward 15) (PED18037) (Item 5.1)**

That Report PED18037 respecting Appeal to the Ontario Municipal Board (OMB) for Lack of Decision on Urban Hamilton Official Plan Amendment Application UHOPA-13-008, Town of Flamborough Zoning By-law No. 90-145-Z Amendment Application ZAC-13-039 and Draft Plan of Subdivision Application 25T-201306 for Lands Located at 111 Parkside Drive (Flamborough), be received.

2. **Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (City Wide) (PED18039) (Item 5.2)**

That Report PED18039 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

**3. One Year Pilot Program for Yard Maintenance Related By-laws in the McMaster Neighbourhoods (PED16260(a)) (Ward 1) (Outstanding Business List Item) (Item 5.3)**

That Report PED16260(a) respecting One Year Pilot Program for Yard Maintenance Related By-laws in the McMaster Neighbourhoods, be received.

**4. Expanding Administrative Penalty System (APS) to Include Business Licensing By-law 07-170 and Noise Control By-law 11-285 (PED18047) (City Wide) (Item 5.4)**

- (a) That the Administrative Penalty By-law 17-225 (APS) be amended to include the General Provisions of the Business Licensing By-law 07-170 (Licensing By-law) by adding Table 10 to Schedule A, and that the amending by-law attached as Appendix “A”, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (b) That the Administrative Penalty By-law 17-225 (APS) be amended to include the Noise Control By-law 11-285 (Noise By-law) by adding Table 11 to Schedule A, and that the amending by-law attached as Appendix “B”, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

**5. Application for Approval of a Draft Plan of Condominium (Vacant Land) for Lands Located at 231 York Road, Dundas (Ward 13) (PED18043) (Item 6.1)**

- (a) That Draft Plan of Condominium Application 25CDM-201615, by Recchia Developments, Owner, to establish a Draft Plan of Condominium (Vacant Land) to create a vacant land condominium for six (6) single detached dwellings and a common element road with five (5) visitor parking spaces, sidewalks and landscaping, on lands located at 231 York Road (Dundas), as shown on Appendix “A” to Report PED18043, be APPROVED, subject to the following conditions:
  - (i) That the approval for Draft Plan of Condominium (Vacant Land) application, 25CDM-201615, prepared by Mathews, Cameron, Heywood – Kerry T. Howe Surveying Limited, certified by Dasha Page O.L.S, dated December 4, 2017, and consisting of six (6) single detached dwellings, a common element condominium road and five (5) visitor parking spaces, sidewalks and landscaping, attached as Appendix “B” to Report PED18043; and,
  - (ii) That the conditions of Draft Plan of Condominium Approval attached as Appendix “C” to Report PED18043 **be amended** to include the following:

(1) That the Owner shall agree in the Condominium Agreement, in words satisfactory to Union Gas Limited, to grant to Union Gas Limited any easements that may be required for gas services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Union Gas Limited facilities or easements, the Owner / Developer shall be responsible for the relocation of such facilities or easements.”

(2) That the Owner shall agree to include the following notices in the Condominium Agreement to the satisfaction of the Senior Director, Growth Management:

(aa) NOTICE REGARDING MAINTENANCE OF THE  
STORMWATER MANAGEMENT TANK

A private underground stormwater management tank has been shown on the servicing drawing for this property prepared by Amec Foster Wheeler. The Owner is advised to follow the tank manufacturer’s maintenance recommendations.

(bb) NOTICE REGARDING MAINTENANCE OF THE  
OIL/GRIT SEPARATOR

The private oil/grit separator is depicted as storm manhole 4 (STC300) on the servicing drawing prepared by Amec Foster Wheeler. The Owner is advised to follow the manufacturer’s maintenance recommendations for this unit. Typically, the unit should be inspected once per year or immediately after an oil, fuel or chemical spill. The long term maintenance frequency can be established based on the maintenance requirements during the first several years of operation if site conditions do not change. The unit is typically maintained using a “vactor” truck. A licensed waste management company should remove captured petroleum waste products from any oil, chemical or fuel spills and dispose responsibly.

and be approved;

(b) That the public submissions received regarding this matter did not affect the decision.

**6. Applications to Amend the City of Stoney Creek Zoning By-law No. 3692-92, the City of Hamilton Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision for Lands Located at 2 Glover Mountain Road, Stoney Creek (Ward 9) (PED18018) (Item 6.2)**

- (a) That Zoning By-law Amendment Application ZAC-16-001 by Empire (Red Hill) Ltd., (Owner), for a change in zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R4-34 (H1, H2, H3)” Zone, Modified (Blocks 1 – 4) in order to permit the creation of six (6) lots for single detached dwellings for lands located at 2 Glover Mountain Road (Stoney Creek), as shown on Appendix “A” to Report PED18018 be APPROVED, on the following basis:
  - (i) That the draft By-law, attached as Appendix “B” to Report PED18018, 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 complies with the Urban Hamilton Official Plan.
- (b) That Zoning By-law Amendment Application ZAC-16-001 by Empire (Red Hill) Ltd., (Owner), for a change in zoning from the Neighbourhood Development “ND” Zone to the Conservation / Hazard Land (P5-679) Zone, Modified (Blocks 5 – 8) in order to recognize the Natural Heritage System and provide land for a required pond outfall / spillway for lands located at 2 Glover Mountain Road (Stoney Creek) and to create a specific exception to permit a reduced special setback from any building or structure to the Conservation / Hazard Land (P5-679) Zone, Modified, as shown on Appendix “A” to Report PED18018, be APPROVED, on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED18018, 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 complies with the Urban Hamilton Official Plan.
- (c) That Draft Plan of Subdivision Application 25T-201601 by Empire (Red Hill) Ltd., (Owner), to establish a Draft Plan of Subdivision on lands located at 2 Glover Mountain Road (Stoney Creek), as shown in Appendix “A” to Report PED18018 be APPROVED, subject to the following:

- (i) That this approval apply to the Draft Plan of Subdivision “2 Glover Mountain Road” 25T-201601, prepared by Armstrong Planning and Project Management, and certified by Douglas E. Hunt, O.L.S., dated November 6, 2015, showing one block for a maximum of four (4) single detached dwellings (Block 1), three (3) blocks for future residential purposes in conjunction with the abutting lands which will yield a maximum of two (2) single detached dwellings (Blocks 2 – 4), one (1) block for the required 30.0 m buffer from the top of the Niagara Escarpment (Block 5), two (2) blocks for open space purposes (Blocks 6 – 7), one (1) block for a pond outfall / spillway easement (Block 8), and one proposed street, shown as Street “A”, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions, attached as Appendix “D” to Report PED18018.
- (ii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit. Parkland Credits may be applied on a land value basis to the abutting Draft Plan of Subdivision 25T-2013005R, known as “Red Hill – Phase 3 / 4” in the event of any over-dedication of parkland from the registration of the Draft Plan of Subdivision (25T-201601).
- (iii) There is no City Share for the costs of the servicing works within the draft plan lands.
- (d) That the public submissions received regarding this matter did not affect the decision.

**7. Equitable Access to City's Taxi System for All Persons with Disabilities (PED16232(b)) (City Wide) (Item 7.1)**

- (a) That 18 accessible taxi plates (ATP) be issued in 2018;
- (b) That, subject to the approval of Recommendation (a) of Report PED16232(b) respecting 18 accessible tax plates (ATP) being issued in 2018, the following be approved:
  - (i) That an accessible priority list (APL) be created;
  - (ii) That an annual fee of \$57 (including applicable HST) to be placed on the APL be approved and added to the User Fee and Charges By-law 17-137;

- (iii) That amendments in the form attached as Appendix “A” to Report PED16232(b), respecting amendments to Schedule 25 (Taxicabs) of the By-law to License and Regulate Various Business, being By-law No. 07-170, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (iv) That the implementation schedule as outlined in Report PED16232 which was approved by Council on December 14, 2016, Item 2(b) of the Planning Committee Report 16-021, be amended to permit the release of an additional 18 accessible tax plates (ATP) to qualified licensed drivers within the Hamilton Taxicab Industry, in accordance with the criteria outlined in Appendix “B” attached to Report PED16232(b);
- (v) That the current complaint process be enhanced to include a direct phone line option and solid web complaint portal;
- (vi) That to achieve compliance with the *Accessibility for Ontarians with Disabilities Act, 2005, S.O, 2005, c.11 (AODA)* standards and to support the Advisory Committee for Persons with Disabilities (ACPD) with the on-demand accessible taxicab initiative, any future issuance of accessible taxi plates (ATP) be at the discretion of the Director of Licensing and By-law Services;
- (vii) That Report PED16232(b) respecting Equitable Access to City's Taxi System for All Persons with Disabilities be brought to the next Advisory Committee for Persons with Disabilities (ACPD) Committee Meeting as information only;
- (viii) That 0.25 full-time equivalent (FTE) be approved for program administration and increased enforcement of accessible complaints, to be fully funded from the revenues generated from annual renewals of the accessible plates and Personal Transportation Providers (PTP) revenue;
- (ix) That staff be directed to report back in six months on the status of the accessible taxi plate applications including the number applied for and the number in service.

**8. Business Licensing By-law 07-170 – Replacement of Taxicab Tariff / Fares (Appendix 1 of Schedule 25) (PED18045) (City Wide) (Item 7.2)**

That the Business Licensing By-law 07-170 be amended by replacing Taxicab Tariff/Fares Meter and By Agreement Rates (Appendix 1 of Schedule 25), and that the amending By-law, attached as Appendix “A” to Report PED18045, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

**9. Business Licensing By-law 07-170, Payday Loans Businesses (Schedule 11) (PED16039(a)) (City Wide) (Outstanding Business List Item) (Item 7.3)**

That the Business Licensing By-law 07-170 (Licensing By-law) be amended by replacing Payday Loans (Schedule 11) with the draft By-law attached as Appendix "A" to Report PED16039(a), which has been prepared in a form satisfactory to the City Solicitor, and that the draft by-law, be enacted by Council;

**10. Comprehensive Review of Discharge of Firearms By-law 05-114 (PED16107(a)) (City Wide) (Outstanding Business List Item) (Item 8.1)**

That the Licensing and By-law Services staff be directed to consult with Legal Services to develop and bring forward to the Planning Committee an updated By-law to repeal and replace City of Hamilton Discharge of Firearms By-law 05-114 that incorporates the recent and future urban developments in the City and includes the key aspects generated by the public engagement process as contained in Report PED16107(a).

**11. Animal Adoptions for the City of Hamilton (PED18004) (City Wide) (Outstanding Business List Item) (Item 8.2)**

- (a) That staff be directed to commence an Animal Adoption Pilot Program and report back to the Planning Committee at the end of an 18 month term regarding the impact on current operations and the City's animal rescue partners;
- (b) That the General Manager of Planning and Economic Development be authorized to execute all necessary documents to implement Recommendation (a), as outlined above, in a form satisfactory to the City Solicitor.

**12. Response to the Ministry of Municipal Affairs and Ministry of Housing - Consultation on the Regulatory Content of Bill 7 (Inclusionary Zoning) (PED18063) (City Wide) (Added Item 8.3)**

- (a) That Council endorse the comments and recommendations contained in Report PED18063 and that the City Clerk be directed to forward Report PED18063 and Appendix "A" to the Ministry of Municipal Affairs and the Ministry of Housing as formal comments in response to the proposed regulatory content concerning Inclusionary Zoning; and,
- (b) That following the proclamation of Bill 7, the *Promoting Affordable Housing Act*, staff be directed to consult with the community and report back to Planning Committee with a proposed framework for inclusionary zoning in Hamilton.

**13. Reduced Road Widening for 84 and 88-96 Lakeview Drive, Stoney Creek (Added Item 10.1)**

WHEREAS, the Planning Act and the Urban Hamilton Official Plan state that the City shall reserve or obtain road widenings for rights-of-way as described in Schedule C-2 – Future Road Widenings and daylight triangles;

WHEREAS, Official Plan Amendment and Zoning By-law Amendment applications (UHOPA-17-009 and ZAC-17-020) have been submitted for 84 and 88-96 Lakeview Drive, Stoney Creek, for the development of maisonette and stacked townhouse units; and

WHEREAS, a road widening for North Service Road and a daylight triangle at the intersection at North Service Road and Lakeview Avenue have been identified;

THEREFORE BE IT RESOLVED:

That staff be directed to accept a reduced road widening dedication of 0.99 metres for the northerly portion of the subject lands where there is currently an uneven right-of-way, and an irregular daylight triangle having minimum dimensions of 10 metres by 2.2 metres by 35 metres for 84 and 88-96 Lakeview Drive, Stoney Creek (UHOPA-17-009 and ZAC-17-020).

**14. Ontario Municipal Board Appeals of the Commercial Mixed Use Zones (UHOPA 69 and Zoning By-law 17-240) (LS18008/PED18050) (City Wide) (Distributed under separate cover.) (Item 12.2)**

That Report LS18008/PED18050 respecting Ontario Municipal Board Appeals of the Commercial Mixed Use Zones (UHOPA 69 and Zoning By-law 17-240) be received and remain confidential.

**15. Ontario Municipal Board Appeals of the Commercial Mixed Use Zones (UHOPA 69 and Zoning By-law 17-240) (LS18008(a)) (City Wide) (Distributed under separate cover.) (Item 12.3)**

- (a) That the City Solicitor be authorized to retain outside experts as described in Report LS18008(a), to be funded through the Tax Stabilization Reserve (110046);
- (b) That Report LS18008(a) be received and remain confidential.



**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

**1. ADDED DELEGATION REQUEST**

- 4.1 Marion Emo, Hamilton/Burlington SPCA respecting animal adoptions for the City of Hamilton, Item 8.2 (For today's meeting.)

**2. REPLACEMENT OF APPENDIX TO ITEM 6.2**

- 6.2 Appendix "B" attached to Item 6.2 respecting Applications to Amend the City of Stoney Creek Zoning By-law No. 3692-92, the City of Hamilton Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision for Lands Located at 2 Glover Mountain Road, Stoney Creek (Ward 9) (PED18018) is deleted and replaced.

**3. DELEGATION WITHDRAWN**

- 8.1 Comprehensive Review of Discharge of Firearms By-law 05-114 (PED16107(a)) (City Wide) (Outstanding Business List Item)

**Delegation**

1. Edmond Rose **(Withdrawn)**

**4. ADDED DISCUSSION ITEM**

- 8.3 Response to the Ministry of Municipal Affairs and Ministry of Housing - Consultation on the Regulatory Content of Bill 7 (Inclusionary Zoning) (PED18063) (City Wide)

**5. REMOVAL OF ITEM 12.4**

- 12.4 Appeal to the Ontario Municipal Board (OMB) – Appeal of Non-Decision of Proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129-137 Truedell Circle, Waterdown, City of Hamilton – UHOPA-17-03, ZAC-17-013 and 25T-201702 (Waterdown) (LS18007/PED18051) (Ward15) **(Report is removed from the agenda.)**

**6. ADDED NOTICE OF MOTION**

- 10.1 Reduced Road Widening for 84 and 88-96 Lakeview Drive, Stoney Creek

**7. CORRECTION TO APPENDIX “A”**

The date indicated in Section 7 on Appendix “A” to Item 7.3 respecting Business Licensing By-law 07-170, Payday Loans Businesses (Schedule 11) (PED16039(a)) (City Wide) should read January 1, 2018 instead of November 1, 2016.

The agenda for the February 20, 2018 meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were none declared.

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

**(i) February 6, 2018 (Item 3.1)**

The Minutes of the February 6, 2018 meeting were approved.

**(d) DELEGATION REQUESTS (Item 4)**

The following delegation request was approved to address Committee at today's meeting:

- (i) Marion Emo, Hamilton/Burlington SPCA respecting animal adoptions for the City of Hamilton, Item 8.2 (Added Item 4.1)

**(e) DELEGATIONS/PUBLIC HEARING (Item 6)**

- (i) Application for Approval of a Draft Plan of Condominium (Vacant Land) for Lands Located at 231 York Road, Dundas (Ward 13) (PED18043) (Item 6.1)**

In accordance with the provisions of the *Planning Act*, Chair A. 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 Draft Plan of Condominium (Vacant Land), 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 members of the public came forward.

The public meeting was closed.

The staff presentation was waived.

Fernando Recchia, the owner, was in attendance and indicated that he is in support of the staff report.

The conditions of Draft Plan of Condominium Approval attached as Appendix "C" to Report PED18043 were amended to include the following:

- (a) That the Owner shall agree in the Condominium Agreement, in words satisfactory to Union Gas Limited, to grant to Union Gas Limited any easements that may be required for gas services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Union Gas Limited facilities or easements, the Owner / Developer shall be responsible for the relocation of such facilities or easements."
- (b) That the Owner shall agree to include the following notices in the Condominium Agreement to the satisfaction of the Senior Director, Growth Management:

- (i) NOTICE REGARDING MAINTENANCE OF THE STORMWATER MANAGEMENT TANK

A private underground stormwater management tank has been shown on the servicing drawing for this property prepared by Amec Foster Wheeler. The Owner is advised to follow the tank manufacturer's maintenance recommendations.

- (ii) NOTICE REGARDING MAINTENANCE OF THE OIL/GRIT SEPARATOR

The private oil/grit separator is depicted as storm manhole 4 (STC300) on the servicing drawing prepared by Amec Foster Wheeler. The Owner is advised to follow the manufacturer's maintenance recommendations for this unit. Typically, the unit should be inspected once per year or immediately after an oil, fuel or chemical spill. The long term maintenance frequency can be established based on the maintenance requirements during the first several years of operation if site

conditions do not change. The unit is typically maintained using a “vactor” truck. A licensed waste management company should remove captured petroleum waste products from any oil, chemical or fuel spills and dispose responsibly.

The recommendations were amended by adding the following subsection (b) and re-lettering the balance:

- (b) That the public submissions received regarding this matter did not affect the decision.

For disposition of this matter refer to Item 5.

**(ii) Applications to Amend the City of Stoney Creek Zoning By-law No. 3692-92, the City of Hamilton Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision for Lands Located at 2 Glover Mountain Road, Stoney Creek (Ward 9) (PED18018) (Item 6.2)**

In accordance with the provisions of the *Planning Act*, Chair A. 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 Amendments and the Draft Plan of Subdivision, 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 members of the public came forward.

The public meeting was closed.

The staff presentation was waived.

Mary Filipetto from Armstrong Planning and Project Management was in attendance representing the applicant. Committee had no questions.

The recommendations were amended by adding the following subsection (d):

- (d) That the public submissions received regarding this matter did not affect the decision.

For disposition of this matter refer to Item 6.

**(f) PUBLIC NOTICE (Item 7)**

**(i) Equitable Access to City's Taxi System for All Persons with Disabilities (PED16232(b)) (City Wide) (Item 7.1)**

**Registered Speaker**

**1. Paula Kilburn of the Advisory Committee for Persons with Disabilities Transportation Working Group**

Paula Kilburn addressed Committee and advised that there is a shortage of accessible taxis. Tim Nolan, also a member of the Advisory Committee for Persons with Disabilities Transportation Working Group, joined her at the podium and indicated that there is a problem with prime time availability. He requested that all taxis be accessible.

The delegations were received.

**2. John Enright, taxi driver**

John Enright addressed Committee and indicated that he is a wheel chair accessible taxi driver in the City of Hamilton. He is in support of the staff recommendations.

The delegation was received.

**3. Roseanne Wazny**

Roseanne Wazny addressed Committee and indicated that she has experience as a taxi driver and has driven people with and without disabilities and she enquired how she can be added to the list to become an accessible taxi driver.

The delegation was received

Tim Nolan was permitted to address Committee a second time.

**4. Tim Nolan**

Tim Nolan addressed Committee and indicated that this time he is speaking on behalf of himself and not of ACPD Sub-Committee. He outlined why the accessible transportation system does not work.

The following was added as subsection (b)(ix);

- (b)(ix) That staff be directed to report back in six months on the status of the accessible taxi plate applications including the number applied for and the number in service.

For disposition of this matter refer to Item 7.

**(ii) Business Licensing By-law 07-170 – Replacement of Taxicab Tariff / Fares (Appendix 1 of Schedule 25) (PED18045) (City Wide) (Item 7.2)**

No one came forward to speak to this Item.

For disposition of this matter refer to Item 8.

**(iii) Business Licensing By-law 07-170, Payday Loans Businesses (Schedule 11) (PED16039(a)) (City Wide) (Outstanding Business List Item) (Item 7.3)**

**Registered Speakers**

**1. Tom Cooper and Jodi Dean from the Hamilton Roundtable for Poverty Reduction**

Tom Cooper addressed Committee and indicated that Jodi Dean was unable to attend today's meeting. He provided a copy of her written comments which were distributed. A copy is available for viewing on the City's website.

Tom Cooper addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website. He spoke in support of the proposed by-law amendment and responded to questions from Committee.

The delegation was received.

**2. Doug Hoyes, Hoyes, Michalos & Associates Inc.**

Doug Hoyes addressed Committee and read from a prepared statement. He indicated that he is a CPA and that he agrees with Tom Cooper's comments. However, in his opinion, debt is the problem, not the payday loans. He advised Committee not to be too restrictive. Educating the payday loan borrowers is important.

The delegation was received.

**3. Tony Irwin, President & CEO, Canadian Consumer Finance Association**

Tony Irwin addressed Committee and read from a prepared statement. He spoke in support of payday loans.

The delegation was received.

**4. Michael Wood, Chair of Hamilton ACORN**

Michael Wood addressed Committee and read from a prepared statement. He spoke in support of the staff recommendations and believes the Federal government should be requested to do more to protect vulnerable people.

The delegation was received.

**5. Patrick Mahon, Independent Payday Loan Association of Canada**

Patrick Mahon addressed Committee and read from a prepared statement. He spoke in support of payday loans and indicated that they provide a necessary service. He responded to questions from Committee.

The delegation was received.

**6. Jane Cardinal**

Jane Cardinal addressed Committee and indicated that people who go to these loan agencies or pawn shops do not have any other options due to poverty and social assistance is not enough.

The delegation was received.

Staff were directed to work with the affected Ward Councillors prior to the Council meeting to review the inclusion of the City of Hamilton Downtown and former Town of Flamborough as excluded areas under the by-law and to prepare amendments as required for Council's consideration.

For disposition of this matter refer to Item 9.

**(g) DISCUSSION ITEMS (Item 8)**

**(i) Comprehensive Review of Discharge of Firearms By-law 05-114 (PED16107(a)) (City Wide) (Outstanding Business List Item) (Item 8.1)**

Robert Ustrzycki, Senior Project Manager, Municipal Law Enforcement, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. Copies of the hand-out were distributed and a copy is available for viewing on the City's website. He responded to questions from Committee.

**Delegation**

**1. Edmond Rose (Approved November 15, 2016)**

As indicated under the changes to the agenda, Mr. Rose did not attend today's meeting as he is satisfied with the staff report.

For disposition of this matter refer to Item 10.

**(ii) Animal Adoptions for the City of Hamilton (PED18004) (City Wide) (Outstanding Business List Item) (Item 8.2)**

Sue Russell, Project Manager, Animal Control, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. Copies of the hand-out were distributed and a copy is available for viewing on the City's website.

The staff presentation was received.

**Delegation**

**1. Margie Goold (Approved March 31, 2015)**

Margie Goold addressed Committee and asked that the catch and release program in the Sherman Hub area be expanded City wide. She indicated that not all cats can be pets and feral cats can live in the community successfully.

The delegation was received.

**2. Marion Emo, Hamilton/Burlington SPCA**

Marion Emo addressed Committee with the aid of a PowerPoint presentation outlining the services provided by the SPCA and provided brochures which were distributed. A copy is available for viewing on the City's website.

The delegation was received.



Chair A. Johnson indicated that he wished to be recorded as OPPOSED to this Item.

For disposition of this matter refer to Item 11.

**(iii) Response to the Ministry of Municipal Affairs and Ministry of Housing - Consultation on the Regulatory Content of Bill 7 (Inclusionary Zoning) (PED18063) (City Wide) (Added Item 8.3.)**

Edward John, Senior Project Manager, Urban Renewal, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy is available for viewing on the City's website. He responded to questions from Committee.

The staff presentation was received.

For disposition of this matter refer to Item 12.

**(h) MOTIONS (Item 11)**

**(i) Parking Regulations on a 'Through Street'**

WHEREAS, most major Ontario municipalities restrict parking overnight on major roadways;

WHEREAS, staff are currently undertaking a review of Hamilton Parking By-law 01-218, and

WHEREAS, members of the public have, from time to time, expressed concern with the rationale for overnight parking restrictions on 'through streets' and the method of informing motorists where such regulations apply;

THEREFORE BE IT RESOLVED:

That staff be directed to review the rationale for overnight parking restrictions on 'through streets' and that this review include a review/summary of overnight parking regulations in other large Ontario municipalities and how they inform motorists of such regulations, and report back to the Planning Committee with recommendations to optimize the effectiveness of the through street system.

**(i) NOTICES OF MOTION (Item 10)**

**(i) Reduced Road Widening for 84 and 88-96 Lakeview Drive, Stoney Creek (Added 10.1)**

Councillor Pearson introduced a notice of motion respecting Reduced Road Widening for 84 and 88-96 Lakeview Drive, Stoney Creek

The rules of order were waived in order to allow the introduction of a motion respecting Reduced Road Widening for 84 and 88-96 Lakeview Drive, Stoney Creek.

For disposition of this matter refer to Item 13.

**(j) GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

**(i) Outstanding Business List (Item 11.1)**

**(a) The following new due dates were approved:**

Item “E” – Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166)

Due date: February 20, 2018

New due date: July 10, 2018

Item “F” – Staff to consult with property owners & Councillors re: HMHC 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 staff’s designation work program and report back.

Due date: February 20, 2018

New due date: July 10, 2018

Item “I” – Report back with Terms of Reference for Community Energy Plan(i.e. renewable such as solar energy)

Due date: February 20, 2018

New due date: April 17, 2018

**(b) The following Items were identified as complete and were removed:**

Item “G” – The Feasibility of Establishing a City Animal Adoption Service in Partnership with the HBSPCA.

(Item 8.2 on this agenda)

Item “J” - Staff to report back with recommendations to update Discharge of Firearms By-law

(Item 8.1 on this agenda)

Item “Q” – That Licensing Division staff review Schedule 11 of Business Licensing By-law 07-170 – Payday Loans, and develop a model By-law addressing minimum distances, concentration and

hours of operation with respect to Payday Loans businesses, and report back.  
(Item 7.3 on this agenda)

Item "R" - That staff report back before the end of the 12 month pilot program for enforcement of yard maintenance related by-laws in the McMaster neighbourhoods with the results and recommendations for permanent by-law enforcement resource requirements for the McMaster neighbourhoods  
(Item 5.3 on this agenda)

**(k) PRIVATE AND CONFIDENTIAL (Item 12)**

Committee approved the following Items without moving into Closed Session:

**(i) Private and Confidential Minutes of the February 6, 2018 Meeting (Distributed under separate cover.) (Item 12.1)**

The Private and Confidential Minutes of the February 20, 2018 Meeting were approved:

**(ii) Ontario Municipal Board Appeals of the Commercial Mixed Use Zones (UHOPA 69 and Zoning By-law 17-240) (LS18008/PED18050) (City Wide) (Distributed under separate cover.) (Added Item 12.2)**

For disposition of this matter refer to Item 14.

**(iii) Ontario Municipal Board Appeals of the Commercial Mixed Use Zones (UHOPA 69 and Zoning By-law 17-240) (LS18008(a)) (City Wide) (Distributed under separate cover.)**

For disposition of these matters, refer to Item 15.

**(l) ADJOURNMENT (Item 13)**

There being no further business, the Planning Committee adjourned at 1:44 p.m.

Respectfully submitted,

Councillor A. Johnson  
Chair, Planning Committee

Ida Bedioui  
Legislative Co-ordinator  
Office of the City Clerk