



PLANNING COMMITTEE

REPORT 18-006

9:30 a.m.

Tuesday, April 17, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with

Regrets: Councillor D. Conley (2nd Vice Chair), illness
Councillor M. Green, personal

Also Present: Councillor L. Ferguson

THE PLANNING COMMITTEE PRESENTS REPORT 18-006 AND RESPECTFULLY RECOMMENDS:

1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (City Wide) (PED18087) (Item 5.1)

That Report PED18087 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications be received.

2. Application for Amendment to Zoning By-law No. 6593 for Lands Located at 500 Upper Wellington Street, Hamilton (Ward 7) (PED18079) (Item 6.1)

- (a) That Amended Zoning By-law Application ZAC-17-061, by BFM Foundation Real Estate Management (Garry Glasbergen and Frank Oostdyk, Owner), for a change in zoning from the "C" (Urban Protected Residential, etc.) District (Block 1) and the "H" (Community Shopping and Commercial, etc.) District (Block 2) to the "H/S-1759" (Community Shopping and Commercial, etc.) District, Modified, in the City of Hamilton Zoning By-law No. 6593, to permit the phased redevelopment of the existing thrift store for commercial uses on lands located at 500 Upper Wellington Street (Hamilton), as shown on Appendix "A" to Report PED18079, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED18079, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (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 (2017), and complies with the Urban Hamilton Official Plan.
- (b) That approval be given for a change in zoning from the Mixed Use – Medium Density, Pedestrian Focus (C5a) Zone to the Mixed Use – Medium Density, Pedestrian Focus (C5a, 685) Zone in the Hamilton Zoning By-law No. 05-200, to permit the phased redevelopment of the existing thrift store on lands located at 500 Upper Wellington Street (Hamilton), as shown on Appendix “A” to Report PED18079, subject to the following:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED18079, be held in abeyance until such time as the Commercial and Mixed Use Zones are in force and effect; and,
 - (ii) That staff be directed to bring forward the draft By-law, attached as Appendix “C” to Report PED18079, for enactment by City Council, once the Commercial and Mixed Use Zones are in force and effect;
- (c) That the public submissions received regarding this matter did not affect the decision.

3. Modifications to the Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)) (Public meeting held March 20, 2018) (Item 5.3) (Item 8.1)

- (a) That the information contained in Report PED18036(a) (City Initiative CI-18-A) to amend the Existing Residential “ER” Zone regulations in the Town of Ancaster Zoning By-law No. 87-57, to address the redevelopment of single detached dwellings in mature neighbourhoods, be received;
- (b) That City Initiative CI-18-A to amend the Existing Residential “ER” Zone regulations in the Town of Ancaster Zoning By-law No. 87-57, to address the redevelopment of single detached dwellings in mature neighbourhoods, as amended, be APPROVED on the following basis:
 - (i) That the Draft By-law, attached as Appendix “B” to Report PED18036(a), which has been prepared in a form satisfactory to the City Solicitor, be amended to permit a maximum lot coverage of

35 percent for two-storey dwellings on lots with an area less than or equal to 1,650 square metres, and be enacted by Council;

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) 2014, conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (P2G), and complies with the Urban Hamilton Official Plan;
 - (iii) That in accordance with Subsection 34(17) of the *Planning Act*, no additional public meeting notice is required.
- (c) That approval be given to amend Site Plan Control By-law No.15-176 to include single detached dwellings, as well additions, accessory structures, and decks for lands located in the established residential areas of Ancaster ("ER" zoned lands) attached as Appendix "C" to Report PED18036(a):
 - (i) Relabel the three maps for the Beach strip from Schedule "B" of By-law No. 15-176 to "B1", "B2" and "B3";
 - (ii) Delete and replace Section 9.3 of By-law No. 15-170 as follows:

"9.3 any single detached dwelling, duplex dwelling and semi-detached dwelling, including accessory buildings and structures, decks, and additions, for lands located:

 - (i) east and west of Beach Boulevard, as shown on the maps attached to and forming part of this by-law as Schedules "B1" to "B3";
 - (ii) in certain residential areas of Ancaster, as shown on the maps attached to and forming part of this by-law as Schedules "C1" to "C13"."
 - (iii) Add 13 new Schedules ("C1" to "C13") to By-law No. 15-176 identifying the area in Ancaster to which site plan control applies to any single detached dwelling, duplex dwelling and semi-detached dwelling, including accessory buildings and structures, decks, and additions.
- (d) That the Tariff of Fees By-law No. 12-282 be amended to establish a new fee of \$5,000 for a Site Plan Control By-law Application for the "ER" Zoned lands in Ancaster.
- (e) That a minimum refundable deposit of \$10,000 for performance securities indexed annually to the Consumer Price Index, in the form of a Letter of Credit or cash, be required as part of a Site Plan Control Application.

- (f) That any Building Permit Application received prior to April 26, 2018 be exempt from Site Plan Control, provided the permit is issued within 6 months of the effective date, unless already required by Section 9.1, 9.2, or 9.4 to 9.12 of Site Plan Control By-law No. 15-176;
- (g) That the public submissions received regarding this matter affected the decision by supporting the approval of the by-law amendments.

4. Hess Village Paid Duty Policing (PED18081) (City Wide) (Outstanding Business List Item) (Item 8.2)

WHEREAS; as indicated on page 5 of 7 in report PED18081, staff confirm that, "The cost for city staff to administer the current Paid Duty Policing Program exceeds the cost paid by the Hess Village Entertainment District licence holders;"

WHEREAS; if the 2018 Hess Village operators' portion of the Paid Duty fees (approximately 50k) was funded one-time through the Tax Stabilization Reserve, the City of Hamilton would not have to incur much greater costs related to administrative functions from the Hamilton Police Service, Corporate Services (Finance), Legal Services, Licensing and By-Law Services (enforcement, suspensions and tribunal preparation) and Councillors on the Tribunal would no longer be focused on the collection of fees for Paid Duty Policing;

THEREFORE, BE IT RESOLVED:

- (a) That the Hess Village licence holders' portion of the 2018 Paid Duty fee of approximately 50k be funded one-time from the Tax Stabilization Reserve;
- (b) That this portion of the Paid Duty fee be referred to the City of Hamilton and the Hamilton Police Service's 2019 budget process;
- (c) That Schedule 21 of the Business Licensing By-law 07-170 be amended to reflect the above changes respecting the Paid Duty Policing and the amending by-law, prepared in a form satisfactory to the City Solicitor, be presented to Council for enactment.

5. GRIDS 2 and Municipal Comprehensive Review – Work Plan and Consultation Update (City Wide) (PED17010(b)) (Item 8.3)

That Report PED17010(b)) respecting GRIDS 2 and Municipal Comprehensive Review – Work Plan and Consultation Update (City Wide) (PED17010(b)) be received.

6. Significant Municipal Planning Initiatives Before the Ontario Municipal Board (now the Local Planning Appeals Tribunal) (Item 9.1)

WHEREAS the Province has introduced a new legislative process for appeals of land use planning matters;

WHEREAS the transition regulations for the new process are such that a number of “legacy” Planning Act matters will still be heard under the former Ontario Municipal Board process;

WHEREAS these “legacy” matters include appeals of significant municipal planning initiatives, such as Hamilton’s Commercial and Mixed Use Zoning By-law as well as other municipally-initiated Planning Act applications;

WHEREAS the hearing of these appeals will be delayed as a result of the new appeal process, thereby delaying when these important municipal planning initiatives can come into force and effect;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton urge the Province and the Environment and Lands Tribunals Ontario to prioritize municipally-initiated matters for expedited hearings where these matters remain subject to the old Ontario Municipal Board process;
- (b) That the City of Hamilton urge the Province to provide the necessary resources to the Local Planning Appeals Tribunal to ensure that these municipally-initiated matters that are identified by the municipality for expedited hearings are dealt with as quickly as possible.

7. Official Plan Amendment and Zoning By-law Amendment for the Downtown Hamilton Secondary Plan (Wards 2 and 3) (PED18074) (Item 13.1)

- (a) That approval be given to Official Plan Amendment (OPA) No. XX to the Urban Hamilton Official Plan (UHOP) to amend policies, schedules and maps, to implement up-to-date mapping and policies for Downtown Hamilton, the lands bound by Cannon Street to the north, Victoria Avenue to the east, Hunter Street to the south and Queen Street to the west and the properties fronting onto James Street North from Cannon Street to the West Harbour GO Station and fronting onto James Street South from Hunter Street to Charlton Avenue, on the following basis:
 - (i) That the Draft Official Plan Amendment, attached as Appendix “B” to Report PED18074, be adopted by Council; and,

- (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) 2014, and conforms to Growth Plan for the Greater Golden Horseshoe, 2017 (P2G).
- (b) That the West Harbour (Setting Sail) Secondary Plan (2012), in the City of Hamilton Official Plan, be amended to remove lands as shown on Appendix "C" to Report PED18074;
- (c) That City-initiated Zoning By-law Amendment to facilitate the implementation of the Downtown Secondary Plan to delete the Downtown Local Commercial (D4) Zone, delete the Downtown Central Business District (D1) Zone, Downtown Prime Retail Streets (D2) Zone and Downtown Residential (D5) Zone and replace with the Downtown Central Business District (D1) Zone, Downtown Mixed Use – Pedestrian Focus (D2) Zone and Downtown Residential (D5) Zone respectively, to add Section 13.2 Utility (U2) Zone, to add lands, to add and amend special exceptions, to amend parking provisions, to amend general provisions, and other administrative sections of Zoning By-law 05-200 to implement the revisions to the Downtown Zones, be APPROVED on the following basis:
 - (i) That the Draft By-law, attached as Appendix "D" to Report PED18074, which has been prepared in a form satisfactory to the City Solicitor, be amended to include the following:

"Notwithstanding any other provisions of this By-law, parking spaces located within any Downtown Zone and approved or subject to a Formal Consultation or Development Application after May 25, 2005 and prior to the effective date of this By-law, be recognized and deemed to comply with the Zoning By-law regulations in terms of length, width and are permitted by this By-law",
and be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. ____.
- (d) That the Downtown Hamilton Tall Building Study and Guidelines, attached as Appendix "E" to Report PED18074, be approved;
- (e) That the Downtown Shadow Impact Study Terms of Reference, Pedestrian Level Wind Study Terms of Reference, and Visual Impact Assessment Study Terms of Reference, attached as Appendix "F" to Report PED18074, be approved;
- (f) That upon final approval of the Draft Zoning By-law amendment staff be directed and authorized to incorporate the Heritage Character Zone Design Guidelines, Shadow Impact Study Terms of Reference, Visual

Impact Assessment Terms of Reference, and Pedestrian Level Wind Study Terms of Reference into the Site Plan Guidelines;

- (g) That the Lansdale and Stinson Neighbourhood Plans be amended to remove the lands from the Neighbourhood plans that are within the Downtown Secondary Plan boundaries; and,
- (h) That the Director, Planning and Chief Planner be authorized to designate an area or specific site as a Class 4 Area in accordance with the NPC-300 for lands within the Downtown Hamilton Secondary Plan where a noise study required as a condition of development approval recommends that an area be Class 4 and a noise study has been approved by the Director, Planning and Chief Planner.
- (i) That the public submissions received regarding this matter supported the approval of the proposal with amendments.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

1. ADDED DELEGATION REQUESTS

- 4.5 Kim Zanello, 15 Ridgemount Drive, to ask the City to oppose the OMB (now LPAT) appeal from Sonoma Homes for 1518-1540 Upper Sherman Avenue (For future meeting) (Copy attached)
- 4.6 Brenda Khes, GSP Group, on behalf of 20 Miller Drive, Ancaster, respecting Item 8.1, Modifications to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)) (For today's meeting)
- 4.7 Shawn Murray, 127 Cayuga Avenue, Ancaster, respecting Item 8.1, Modifications to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)) (For today's meeting)

2. ADDED WRITTEN COMMENTS

The following added written comments have been received respecting Item 8.1, Modifications to the Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward12) (PED18036(a)):

8.1(d) Brenda Khes, GSP Group, on behalf of 20 Miller Drive, Ancaster

8.1(e) Ramon Akiopkian, 137 and 138 Valleyview Drive, Ancaster

3. REVISED MOTION

9.1 Significant Municipal Planning Initiatives Before the Ontario Municipal Board (now the Local Planning Appeals Tribunal) (Copy attached.)

4. REVISED OUTSTANDING BUSINESS LIST:

(a) Items requiring new due dates:

Item “H” – ACPD Report 16-002 – Re: financial incentives for taxi operators to make replacement vehicles accessible
Due date: April 17, 2018
New due date: May 15, 2018

Item “I” – That staff be directed to present to the Planning Committee an updated digital sign by-law.
Due date: April 17, 2018
New due date: June 5, 2018

Item “J” – That staff be directed to report back on how to revise Council’s current policy respecting OMB appeals for non-decision to ensure the public has the opportunity to provide input.
Due date: April 17, 2018
New due date: June 19, 2018

Item “K” – That staff report to the Planning Committee on a proposed scope and terms of reference for a consultant assignment to undertake the Kirkendall Neighbourhood Strategy in collaboration with the Kirkendall Neighbourhood Association.
Due date: April 17, 2018
New due date: June 19, 2018

Item “L” - That Staff report back to Committee following consultation with the Alleyway Management Strategy Working Group on a

process for including appropriate permissions for laneway housing as part of the review and update of the City's Residential Zoning By-law planned for 2017-2018.

Due date: April 17, 2018

New due date: June 19, 2018

Item "W" – Update re: Losani OMB appeal and sign variance application appeal.

Due date: April 17, 2018

New due date: June 19, 2018

(b) Item identified as complete to be removed:

Item "S" – Staff to report back on Class 4 Noise receptor status for Downtown Secondary Plan and/or broader city-wide policy.
(Item 13.1 on this agenda)

5. REVISED APPENDICES AND ADDED WRITTEN COMMENTS:

13.1 Official Plan Amendment and Zoning By-law Amendment for the Downtown Hamilton Secondary Plan (Wards 2 and 3) (PED18074)

Sections of Appendices "B", "D" and "F" have been revised. Copies have been distributed on white paper and staff will provide an overview of the revisions in their presentation. In addition, a new clause has been added to the by-law in Appendix "D".

13.1(e) Petition from People's Plan for Downtown

13.1(f) Kyle Bittman, Coletara Development, respecting 15 Queen Street South

13.1(g) Glenn Wellings, Wellings Planning Consultants Inc., respecting 71 Rebecca Street

13.1(h) Beth Molnar, Property Manager, Aragon Properties

13.1(i) Bill Johnston, 17 Witherspoon Street, Dundas

13.1(j) Jeff de Bruin, resident of Downtown Hamilton

13.1(k) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc.

13.1(l) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., respecting 71 Rebecca Street

13.1(m) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., on behalf of 80 John Street North

13.1(n) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc. on behalf of 44 Hughson Street South, 75 James Street South and 9 Jackson Street East

- 13.1(o) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc. on behalf of 154 Main Street East & 49 Walnut Street South
- 13.1(p) Sarah Kovacs, Central Neighbourhood Association
- 13.1(q) Rick Yates, President - 2478845 Ontario Inc., respecting 154 and 156 Cannon Street
- 13.1(r) Scott Patterson, Labreche Patterson & Associates Inc., respecting 107 MacNab Street North, Coppley
- 13.1(s) Christopher Redmond, President, Durand Neighbourhood Association on behalf of the Association's Board of Directors
- 13.1(t) Gabriel Zelea, respecting 156 Sanford Avenue South and 12 Fairholt Avenue South
- 13.1(u) Bryan Dykstra, Partner, Blacks Point Development Inc., respecting 107 MacNab Street North, Coppley
- 13.1(v) Franz Kloibhofer, A. J. Clarke and Associates Ltd, Respecting 206-208 King Street West
- 13.1(w) Ian P. Ladd, Chief Executive Officer, CARSTAR LC Group, respecting 154 and 156 Cannon Street East, 124 Ferguson Avenue North and 66 Kelly Street

The agenda for the April 17, 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) April 3, 2018 (Item 3.1)

The Minutes of the April 3, 2018 meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

- (a) The following delegation requests were approved to address Committee at a future meeting:

- 4.1 Mayor Ted Comiskey, Town of Ingersoll, to speak concerning the Demand the Right Campaign which is to promote municipalities gaining the right to say yes or no to proposed landfill projects within their boundaries.

- 4.2 Doug Lockhart, 108 Chamomile Drive, Hamilton to speak to the staff report regarding the Sonoma Homes' appeal to the OMB (now LPAT) respecting 1518 – 1540 Upper Sherman Avenue.
 - 4.3 Bob Huget, 225 Acadia Drive, to address Committee when the report regarding the Sonoma Homes' appeal to the OMB (now LPAT) respecting 1518 – 1540 Upper Sherman Avenue is on the agenda.
 - 4.5 Kim Zanello, 15 Ridgemount Drive, to ask the City to oppose the OMB (now LPAT) appeal from Sonoma Homes for 1518-1540 Upper Sherman Avenue.
- (b) The following delegation requests were approved to address Committee at today's meeting:
- 4.4 Ron Sebastian, to present information respecting the proposed changes to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57, Item 8.1.
 - 4.6 Brenda Khes, GSP Group, on behalf of 20 Miller Drive, Ancaster, respecting Item 8.1, Modifications to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)).
 - 4.7 Shawn Murray, 127 Cayuga Avenue, Ancaster, respecting Item 8.1 titled Modifications to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)).

(e) DELEGATIONS/PUBLIC HEARING (Item 6)

- (i) Application for Amendment to Zoning By-law No. 6593 for Lands Located at 500 Upper Wellington Street, Hamilton (Ward 7) (PED18079) (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 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 Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

Stuart Hastings and Brenda Khes of GSP Group, and the owner Gary Glasbergen were in attendance. Stuart Hasting advised that the owner is in agreement with the staff report.

The staff presentation was waived.

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

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

For disposition of this matter refer to Item 2.

(f) DISCUSSION ITEMS (Item 8)

- (i) Modifications to the Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)) (Public meeting held March 20, 2018) (Item 8.1)**

The following written comments were received:

8.1(a) Ilango Thirumoorthi

8.1(b) Jesse Wilson, Project Director, S R Architecture Inc.

8.1(c) Drew Bellenie on behalf of Andree Bellenie, 773 Montgomery Drive

8.1(d) Brenda Khes, GSP Group, on behalf of 20 Miller Drive, Ancaster

8.1(e) Ramon Akiopekian, 137 and 138 Valleyview Drive, Ancaster

Alana Fulford, Planner, 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.

The staff presentation was received.

Ward Councillor Ferguson was in attendance and spoke to this matter.

Speakers

1. Ron Sebastian

Ron Sebastian addressed Committee with the aid of a PowerPoint presentation which is available for viewing on the City's website. He indicated his support for the proposed regulations.

2. Brenda Khes, GSP Group, on behalf of 20 Miller Drive, Ancaster

Brenda Khes of GSP Group addressed Committee on behalf of 20 Miller Drive. In response to her delegation, staff confirmed that 20 Miller Drive, which is the Maple Lane School site, is exempt from the "ER" Zone.

3. Shawn Murray, 127 Cayuga Avenue, Ancaster

Shawn Murray addressed Committee and indicated that the proposed reduction to the maximum lot coverage for two storey dwellings is not fair.

The delegations were received.

Chair A. Johnson relinquished the Chair and Councillor Skelly assumed the Chair.

The recommendations were amended:

- (a) To permit a maximum lot coverage of 35 percent for two-storey dwellings on lots with an area less than or equal to 1,650 square metres;
- (b) By adding the following subsection (g):
 - (g) That the public submissions received supported the approval of the zoning amendments.

Chair A. Johnson assumed the Chair.

For disposition of this matter refer to Item 3.

(ii) **Hess Village Paid Duty Policing (PED18081) (City Wide) (Outstanding Business List Item) (Item 8.2)**

Speakers

1. Dean Collette, representing the Hess Village Merchants

Dean Collette addressed Committee and spoke against the staff recommendations that the merchants share the costs of the Paid Duty Policing fees.

The delegation was received.

2. Sean Baird, representing the George Street Merchant Association

Sean Baird addressed Committee and spoke against the staff recommendation that the merchants be required to share the cost of the Paid Duty Policing fees.

The delegation was received.

For disposition of this matter refer to Item 4.

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

(i) OUTSTANDING BUSINESS LIST:

(a) The following new due dates were approved:

Item "H" – ACPD Report 16-002 – Re: financial incentives for taxi operators to make replacement vehicles accessible

Due date: April 17, 2018

New due date: May 15, 2018

Item "I" – That staff be directed to present to the Planning Committee an updated digital sign by-law.

Due date: April 17, 2018

New due date: June 5, 2018

Item "J" – That staff be directed to report back on how to revise Council's current policy respecting OMB appeals for non-decision to ensure the public has the opportunity to provide input.

Due date: April 17, 2018

New due date: June 19, 2018

Item “K” – That staff report to the Planning Committee on a proposed scope and terms of reference for a consultant assignment to undertake the Kirkendall Neighbourhood Strategy in collaboration with the Kirkendall Neighbourhood Association.

Due date: April 17, 2018

New due date: June 19, 2018

Item “L” - That Staff report back to Committee following consultation with the Alleyway Management Strategy Working Group on a process for including appropriate permissions for laneway housing as part of the review and update of the City’s Residential Zoning By-law planned for 2017-2018.

Due date: April 17, 2018

New due date: June 19, 2018

Item “W” – Update re: Losani OMB appeal and sign variance application appeal.

Due date: April 17, 2018

New due date: June 19, 2018

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

Item “U” – That the appropriate City of Hamilton staff be requested to address the issue of declining establishments paying into the Paid Duty program in Hess Village and report back to the Planning Committee 45 days before the start of the 2018 Paid Duty season with solutions.

(Item 8.2 on this agenda)

Item “S” – Staff to report back on Class 4 Noise receptor status for Downtown Secondary Plan and/or broader city-wide policy.

(Item 13.1 on this agenda)

(h) PRIVATE AND CONFIDENTIAL

(i) Closed Session Minutes of the April 3, 2018 Meeting

- (a) The Closed Session Minutes of the April 3, 2018 meeting were approved;
- (b) That the Closed Session Minutes of the April 3, 2018 meeting are to remain private and confidential and restricted from public disclosure.

(i) PUBLIC HEARINGS/DELEGATIONS (Continued) (Item 13)

**(i) Official Plan Amendment and Zoning By-law Amendment for the
Downtown Hamilton Secondary Plan (Wards 2 and 3) (PED18074)
(Item 13.1)**

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 Official Plan and Zoning By-law Amendments for the Downtown Hamilton Secondary Plan, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The following written comments were received:

- 13.1(a) John Boddy
- 13.1(b) Jason Leach
- 13.1(c) Jared Marcus of IBI Group on behalf of the Royal Connaught Inc.
- 13.1(d) Jared Marcus of IBI Group on behalf of Rockwater Group
- 13.1(e) Petition form People's Plan for Downtown
- 13.1(f) Kyle Bittman, Coletara Development, respecting 15 Queen Street South
- 13.1(g) Glenn Wellings, Wellings Planning Consultants Inc., respecting 71 Rebecca Street
- 13.1(h) Beth Molnar, Property Manager, Aragon Properties
- 13.1(i) Bill Johnston, 17 Witherspoon Street, Dundas
- 13.1(j) Jeff de Bruin, resident of Downtown Hamilton
- 13.1(k) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc.
- 13.1(l) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., respecting 71 Rebecca
- 13.1(m) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., on behalf of 80 John Street North

- 13.1(n) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc. on behalf of 44 Hughson Street South, 75 James Street South and 9 Jackson Street East
- 13.1(o) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc. on behalf of 154 Main Street East & 49 Walnut Street South
- 13.1(p) Sarah Kovacs, Central Neighbourhood Association
- 13.1(q) Rick Yates, President - 2478845 Ontario Inc., respecting 154 and 156 Cannon Street
- 13.1(r) Scott Patterson, Labreche Patterson & Associates Inc., respecting 107 MacNab Street North, Coppley
- 13.1(s) Christopher Redmond, President, Durand Neighbourhood Association on behalf of the Associations Board of Directors
- 13.1(t) Gabriel Zelea, respecting 156 Sanford Avenue South and 12 Fairholt Avenue South
- 13.1(u) Bryan Dykstra, Partner, Blacks Point Development Inc., respecting 107 MacNab Street North, Coppley
- 13.1(v) Franz Kloibhofer, A. J. Clarke and Associates Ltd., Respecting 206-208 King Street West
- 13.1(w) Ian P. Ladd, Chief Executive Officer, CARSTAR LC Group, respecting 154 and 156 Cannon Street East, 124 Ferguson Avenue North and 66 Kelly Street

Alissa Mahood, Senior Project Manager, and Shannon McKie, Senior Planner, 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. Copies of the hand-out were distributed and a copy has been retained for the public record.

Registered Speakers

1. Carol Priamo, Beasley Neighbourhood Association

Carol Priamo of the Beasley Neighbourhood Association addressed Committee with the aid of a PowerPoint presentation which is available for viewing on the City's website. She also provided a hard copy for the public record. She spoke in support of the staff report but expressed some concerns with the building heights.

2. Cameron Kroetsch, 211 Jackson Street East, Hamilton

Cameron Kroetsch addressed Committee with the aid of a PowerPoint presentation which is available for viewing on the City's website. He is in favour of the Plan but thinks it needs more work.

3. Nicole Smith, Kumon Hamilton West End

Nicole Smith addressed Committee and indicated that more apartments are required in Corktown. More amenities would be needed and infrastructure would need to be improved for the new apartment residents.

4. Michelle Hruschka, 78 Dundurn Street North

Michelle Hruschka was not in attendance.

5. Lynda Lukasik, Environment Hamilton

Lynda Lukasik addressed Committee with the aid of a PowerPoint presentation which is available for viewing on the City's website. She outlined her concerns with the Plan. She submitted more detailed written comments to the Committee Clerk which is available for viewing on the City's website.

6. Matias Rozenberg, 87 Wilson Street

Matias Rozenberg addressed Committee and expressed his concerns with the Plan.

7. Kojo Easy Dampley, Afro-Soul Musician & Scholar-Practitioner

Kojo Easy Dampley addressed Committee and presented three concerns on behalf of the Hamilton arts community.

8. Kyle Bittman, Coletara Development, respecting 15 Queen Street South

Kyle Bittman was unable to attend the meeting.

9. Glenn Wellings, Wellings Planning Consultants Inc., respecting 71 Rebecca Street

Councillor Farr spoke on behalf of Mr. Wellings and indicated that Mr. Wellings has been made aware that his concerns respecting 71 Rebecca Street are best brought before the Committee of Adjustment.

10. Susan Creer

Susan Creer was unable to attend.

11. Lachlan Holmes, Hamilton Forward – An Urban Development Advocacy Group

Lachlan Holmes addressed Committee with the aid of a PowerPoint presentation which is available for viewing on the City's website.

Hard copies were distributed. He expressed concerns with the height restrictions, setbacks and shadows, and the Wesanford Site Policy.

12. Janice Brown, Durand Neighbourhood Association

Janice Brown addressed Committee and indicated that Durand Neighbourhood Association is generally in favour of the Plan and asks that the City be mindful in implementing the Plan, to protect the views and to continue with public consultation.

13. Matt Johnson, UrbanSolutions Planning & Land Development Consultants Inc.

Matt Johnson explained that he no longer needs to speak to this matter.

14. Matt Johnson, UrbanSolutions Planning & Land Development Consultants Inc., representing the Hamilton-Halton Home Builders' Association

Matt Johnson addressed Committee on behalf of the Hamilton-Halton Home Builders' Association with the aid of a PowerPoint presentation which is available for viewing on the City's website. He spoke in support of the Plan, however, he asked that the implementation of Section 37 agreements be held in abeyance until the public consultation is completed.

15. John Ariens, IBI Group, on behalf of Royal Connaught Inc., 84-112 King Street East

Jared Marcus spoke on behalf John Ariens who had to leave the meeting. He referred to the concerns outlined in the written comments that were submitted on behalf of Royal Connaught Inc.

16. Jared Marcus, IBI Group, Rock Water Group, 64 Main Street East

Jared Marcus addressed Committee and referenced the concerns that are outlined in the written comments that were submitted on behalf of Rock Water Group.

17. Elbert van Donkergoed, Terra Coeur on behalf of Victor Veri, owner of downtown properties

Elbert van Donkergoed indicated that Victor Veri is in support of the Plan but he is interested in providing short term housing for people

who aren't ready to find permanent housing and requested that the proposed permitted uses include more categories.

18. Leisha Dawson, 129 Bold Street

Leisha Dawson was unable to attend.

19. Dave Cherkewski, 160 Wilson Street

Dave Cherkewski addressed Committee and his concerns included the trucks on Wilson Street and in the downtown and the availability of affordable housing, recreational facilities and green space.

20. Ute Schmid-Jones, 200 Bay Street South

Ute Schmid-Jones addressed Committee and indicated that she is a renter and is Hamilton's own Snowflake Lady and recognizes the importance of building infrastructure and of service providers. She proceeded to present an art installation which she calls Been There and Got the T-Shirt.

21. David Falletta from Bousfields Inc. respecting 163 Jackson Street West

David Falletta addressed Committee representing 163 Jackson Street West and expressed concerns which were outlined in written comments which he provided and which were distributed. A copy is available for viewing on the City's website.

22. Barbara Murray, 23 Wood Street East

Barbara Murray addressed Committee and the concerns that she expressed included the maximum building height, how the buildings will be designed, and heritage preservation.

23. Joey Coleman, 126 Catherine Street North

Joey Coleman addressed Committee on behalf of the members of the Executive of the Beasley Neighbourhood Association who had to leave the meeting. He indicated that the Beasley Neighbourhood is the most impacted by this Plan. There needs to be a right balance with development and implementation of the Plan is key.

24. Rob Fiedler, 78 Simcoe Street East, member of the Beasley Neighbourhood Executive

Rob Fiedler was able to return to the meeting. He spoke in support of the Plan and says it strikes a good balance and provides a good framework.

The delegations were received.

The public meeting was closed.

- (a) Appendix "D" to Staff Report PED18074 was amended to include the following:

"Notwithstanding any other provisions of this By-law, parking spaces located within any Downtown Zone and approved or subject to a Formal Consultation or Development Application after May 25, 2005 and prior to the effective date of this By-law, be recognized and deemed to comply with the Zoning By-law regulations in terms of length, width and are permitted by this By-law." That Schedule 21 of the Business Licensing By-law 07-170 be amended to reflect the above changes respecting the Paid Duty Policing and the amending by-law, prepared in a form satisfactory to the City Solicitor, be presented to Council for enactment.

- (b) The recommendations were amended by adding the following subsection (i):

- (i) That the public submissions received supported the approval of the proposal with amendments.

For disposition of this matter refer to Item 7.

(j) ADJOURNMENT (Item 14)

There being no further business, the Planning Committee was adjourned at 4:42 p.m.

Respectfully submitted,

Councillor A. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk