



## **PLANNING COMMITTEE**

### **REPORT 18-007**

**9:30 a.m.**

**Tuesday, May 1, 2018**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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

**Absent with  
Regrets:** Councillor D. Conley (2<sup>nd</sup> Vice Chair) illness  
Councillor B. Johnson, personal

**Also Present:** Councillors L. Ferguson, T. Jackson and T. Whitehead

### **THE PLANNING COMMITTEE PRESENTS REPORT 18-007 AND RESPECTFULLY RECOMMENDS:**

1. **Adjustments to School Crossing Guard Locations (PED18090) (Wards 2, 4, and 12) (Item 5.1)**
  - (a) That the revised list of school crossing guard locations resulting from school closures, openings and lunch program changes in Wards 2, 4, and 12 as outlined in Appendix "A" attached to Report 18-007, be approved;
  - (b) That staff be authorized and directed to consult with the affected Ward Councillors and to use delegated authority for adding and / or removing school crossing guards prior to City Council approval for any proposed changes by the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board for the 2018 / 2019 school year.

**2. Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 50 John Frederick Drive (Ancaster) (Ward 12) (PED18095) (Item 6.1)**

- (a) That Draft Plan of Condominium Application 25CDM-201708, by WEBB Planning Consultants Inc., on behalf of 1541079 Ontario Inc. (Losani Homes Limited), owner, to establish a Draft Plan of Condominium (Common Element) to create a condominium road network, sidewalks, landscaped areas, 12 visitor parking spaces, centralized mailboxes and exclusive use common element areas, on lands located at 50 John Frederick Drive (Ancaster), as shown on Appendix "A" attached to Report PED18095, be APPROVED subject to the following conditions:
- (i) That the approval for Draft Plan of Condominium (Common Element) application 25CDM-201708 applies to the plan prepared by A.T. McLaren Limited, certified by S. D. McLaren, and dated March 12, 2018, consisting of a condominium road network, sidewalks, landscaped areas, 12 visitor parking spaces, centralized mailboxes and exclusive use common element areas, in favour of 21 townhouse dwelling units attached as Appendix "B" to Report PED18095;
  - (ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201708, attached as Appendix "C" to Report PED18095, be received and endorsed by City Council;
- (b) That there were no public submissions received regarding this matter.

**3. Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 240 Butter Road West, Ancaster (Ward 12) (PED18078) (Item 6.2)**

- (a) That Zoning By-law Amendment Application ZAA-18-004, by A.B Ventures Inc. (Owner), for a modification to the Agricultural (A1) Zone and the Conservation / Hazard Land - Rural (P6) Zone in order to prohibit the construction of a single detached dwelling and residential care facility and to recognize the lot size of the lands to be retained as shown on Appendix "A" to Report PED18078, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix "B" to Report PED18078, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the amending By-law be added to Schedule "C" of Zoning By-law No. 05-200;

- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Greenbelt Plan (2017), and complies with the Rural Hamilton Official Plan (RHOP);
- (b) That the public submissions received regarding this matter did not affect the decision.

**4. Applications to Amend the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92, and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 84, 86, 88, 90, 92, 94, 96 Lakeview Drive (Stoney Creek) (Ward 10) (PED18085) (Item 6.4)**

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-009, by DeSantis Rose Joint Venture Inc., Owner, to amend the Urban Hamilton Official Plan to: redesignate the lands from “Arterial Commercial” to “Neighbourhoods” and “Mixed Use – Medium Density”; to add a Site Specific Policy Area for lands designated “Neighbourhoods” to establish a density range of 40 to 100 units per hectare for medium density residential uses; to add a Site Specific Policy for the lands designated “Mixed Use – Medium Density” to prohibit drive-through facilities; to permit a residential development consisting of 94 maisonette dwellings and 42 stacked townhouse dwellings for a total of 136 dwelling units on a private road, and a future stand-alone residential or mixed-use development, for the lands known as 84, 86, 88, 90, 92, 94, 96 Lakeview Drive (Stoney Creek), as shown on Appendix “A” to Report PED18085, be APPROVED on the following basis:
  - (i) That clauses 1.0 b) and c) be deleted from Section 4.2.1 b) of the draft Official Plan Amendment;
  - (ii) That the draft Official Plan Amendment, attached to Report 18-007 as Appendix “D”, as amended, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).
- (b) That Amended Zoning By-law Amendment Application ZAC-17-020, by DeSantis Rose Joint Venture Inc., Owner, for a change in zoning from the Highway Commercial (Holding) “HC(H)” Zone, to the Multiple Residential “RM3-64” Zone, Modified on a portion of the subject lands, and the “Mixed Use Commercial “MUC-10” Zone, Modified, on the remaining portion of the subject lands, in City of Stoney Creek Zoning By-law No. 3692-92, to permit a residential development consisting 94 maisonette dwellings and 42 stacked townhouse dwellings for a total of 136 dwelling units on a

private road, and a future stand-alone residential or mixed-use development for the lands known as 84, 86, 88, 90, 92, 94, 96 Lakeview Drive (Stoney Creek), as shown on Appendix “C” to Report PED18085, be APPROVED on the following basis:

- (i) That Apartment Dwellings be added as a permitted use to the modified Mixed Use Commercial “MUC-10” Zone;
  - (ii) That two separate By-laws be prepared in a form satisfactory to the City Solicitor, to amend the City of Stoney Creek Zoning By-law No. 3692-92; one By-law for a Multiple Residential “RM3-64” Zone, Modified, and one By-law for the Mixed Use Commercial “MUC-10” Zone, Modified; and be enacted by City Council;
  - (iii) That the amending By-laws be added to Map No. 2 of Schedule “A” of By-law No. 3692-92;
  - (iv) That the proposed change in zoning complies with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. \_\_
- (c) That approval be given to add the lands located at 86, 88, 90, 92, and 94 Lakeview Drive and a portion of 84 and 96 Lakeview Drive, Stoney Creek, to Zoning By-law No. 05-200 and zone said lands Mixed Use Medium Density – (C5, 682) Zone in Zoning By-law No. 05-200, subject to the following:
- (i) That the Mixed Use Medium Density – Pedestrian Focus (C5a, 682) Zone be replaced by the Mixed Use Medium Density (C5, 682) Zone in the Draft By-law;
  - (ii) That the draft By-law, attached as Appendix “E” to Report 18-007, as amended, be held in abeyance until such time as the Commercial and Mixed Use Zones are in force and effect; and,
  - (iii) That staff be directed to bring forward the draft By-law, attached as Appendix “E” to Report 18-007, as amended, for enactment by City Council, once Zoning By-law No. 17-240, the by-law to establish the Commercial and Mixed Use Zones, is in force and effect.
- (d) That the Bayview Neighbourhood Plan be amended by redesignating the subject lands from “Highway Commercial” to “Medium / High Density Residential”, and to “General Commercial” upon finalization of the Zoning By-law Amendments.
- (e) That the public submissions received regarding this matter did not affect the decision.

5. **Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 1518, 1530 and 1540 Upper Sherman Avenue, Hamilton (Ward 7) (PED18086) (Item 8.1)**
  - (a) That Report PED18086 respecting Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 1518, 1530 and 1540 Upper Sherman Avenue, Hamilton be received;
  - (b) That the comments from the delegations be received and referred to staff for consideration when they prepare their recommendation report on how to proceed regarding the appeal to the Local Planning Appeals Tribunal.
  
6. **Hamilton Municipal Heritage Committee Report 18-004 (Item 8.2)**
  - (a) **Recommendation to Remove the Property Located at 167 Book Road East, Ancaster from the Register of Properties of Cultural Heritage Value or Interest and Staff's Work Plan for Designation under Part IV of the Ontario Heritage Act (Ward 12) (PED18083)**
    - (1) That the property located at 167 Book Road East, Ancaster, shown on Appendix "A" to Report PED18083, currently included in the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest NOT be designated as a property of cultural value or interest under Part IV of the Ontario Heritage Act;
    - (2) That the subject property be removed from staff's designation work plan entitled "Requests to Designate Properties under Part IV of the Ontario Heritage Act: Priorities (as amended by Council on February 28, 2018)", attached as Appendix "E" to Report PED18083;
    - (3) That the subject property be removed from the City's Register of Properties of Cultural Heritage Value or Interest as a non-designated property;
    - (4) That the Documentation and Salvage Report, to be submitted by the applicant, be circulated to Council, to the Hamilton Municipal Heritage Committee, and to the Hamilton Public Library's Local History & Archives Department for archival purposes; and

- (5) That Planning staff be directed to explore the potential of having an historical interpretive plaque erected on site detailing the history of the Book family.

**(b) Recommendation to Designate 111 Kenilworth Access, Hamilton, under Part IV of the Ontario Heritage Act (Ward 4) (PED18088)**

- (1) That the designation of 111 Kenilworth Access, Hamilton (Barton and Kenilworth Reservoirs), shown in Appendix "A" to Report PED18088, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
- (2) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report 18-007, be approved;
- (3) That the City Clerk be directed to take appropriate action to designate 111 Kenilworth Access, Hamilton (Barton and Kenilworth Reservoirs) under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix "C" to Report PED18088;
- (4) That the Public Works Department be directed to report back to Council on the preparation of a combined heritage conservation plan and management plan in consultation with Development Planning, Heritage and Design, Heritage Resource Management, and Municipal Law Enforcement staff, to guide the short to long term protection and preferred conservation treatment of the east portion of the property and to explore options for the future use of the property; and
- (5) That Council direct the Tourism and Culture Division of the Planning and Economic Department to include the Barton Reservoir, the Pipeline Trail and the Hamilton Waterworks National Historic Site of Canada in the Cultural Heritage Landscape Assessment Study.

**(c) Recommendation to Designate 378 Main Street East, Hamilton under Part IV of the Ontario Heritage Act (Ward 3) (PED18089)**

That Report PED18089 respecting a Recommendation to Designate 378 Main Street East, Hamilton under Part IV of the Ontario Heritage Act (Ward 3), be DEFERRED to the May 10, 2018 meeting, to allow for the representative of the property to attend the discussion of the report.

**(d) Recommendation to Designate 1021 Garner Road East, Ancaster (Lampman House) Under Part IV of the Ontario Heritage Act (Ward 12) (PED18094)**

- (1) That the designation of 1021 Garner Road East, Ancaster, shown in Appendix "A" to Report PED18094, as a property of cultural heritage value pursuant to the provisions of Part IV of the Ontario Heritage Act, be approved;
- (2) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "C" to Report 18-007, be approved;
- (3) That the City Clerk be directed to take appropriate action to designate 1021 Garner Road East, Ancaster under Part IV of the Ontario Heritage Act, in accordance with the Notice of Intention to Designate, attached as Appendix "C" to Report PED18094.

**7. Appeal of Non-Decision of Proposed Urban Hamilton Official Plan (UHOP) Amendment and Zoning By-Law Amendment for lands located at 1117 Garner Road East, Ancaster (LS17011(a)/PED17066(a)) (Ward 12) (Item 12.1)**

That Report LS17011(a)/PED17066(a) be approved and remain private and confidential until approved by Council upon which the recommendations will be released.

**FOR INFORMATION:**

**(a) APPROVAL OF THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes:

**1. ADDED DELEGATION REQUEST**

- 4.2 Glen Wellings, Wellings Planning Consultants Inc., respecting Item 8.1 regarding the appeal to the OMB (now LPAT) submitted by Sonoma Homes for 1518, 1530, and 1540 Upper Sherman Avenue. (For today's meeting.)

**2. ADDED WRITTEN COMMENTS**

- 6.3(a) Steve and Rose Dean, 8404 English Church Road, Mount Hope respecting Item 6.3 Applications for a Rural Hamilton Official Plan

Amendment and Zoning By-law Amendment for Lands Located at  
8475 English Church Road, Glanbrook (Ward 11) (PED18077)

**3. CHANGES TO Item 6.4**

- Item 6.4 will be considered first under Public Hearings as the Ward Councillor and the agent both have scheduling conflicts;
- The recommendations for Item 6.4 have been revised by staff.

The agenda for the May 1, 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 17, 2018 (Item 3.1)**

The Minutes of the April 17, 2018 meeting were approved.

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

(a) The following delegation requests were approved to address Committee at today's meeting:

- (i) Scott Gallea, to request deferral of the heritage designation of 1021 Garner Road East, Ancaster (Item 8.2 on this agenda) (Item 4.1);
- (ii) Glen Wellings, Wellings Planning Consultants Inc., respecting Item 8.1 regarding the appeal to the OMB (now LPAT) submitted by Sonoma Homes for 1518, 1530, and 1540 Upper Sherman Avenue. (Item 4.2.)

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

**(i) Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 50 John Frederick Drive (Ancaster) (Ward 12) (PED18095) (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 (Common Element), 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.

The public meeting was closed.

James Webb of WEBB Planning Consultants, representing the owner, was in attendance. James Webb 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 (b) and re-lettering the balance:

- (b) That there were no public submissions received regarding this matter.

For disposition of this matter refer to Item 2.

**(ii) Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 240 Butter Road West, Ancaster (Ward 12) (PED18078) (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 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.

The public meeting was closed.

Ward Councillor Ferguson was in attendance and indicated that he is in support of the staff report.

That the staff presentation was waived.

Matt Johnston of UrbanSolutions Planning and Land Development Consultants Inc. representing the owner, was in attendance. Matt Johnston advised that the owner is in agreement with the staff report.

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 3.

**(iii) Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 8475 English Church Road, Glanbrook (Ward 11) (PED18077) (Item 6.3)**

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, 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.

**Written Comments**

6.3(a) Steve and Rose Dean, 8404 English Church Road, Mount Hope

The written comments, Item 6.3(a), were received.  
No members of the public came forward.

The public meeting was closed.

Report PED18007 respecting Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 8475 English Church Road, Glanbrook (Ward 11) was TABLED to a future meeting to allow the Ward Councillor to meet with the applicant.

The Statutory Public Meeting will be reopened when Report PED18007 respecting Applications for a Rural Hamilton Official Plan Amendment and

Zoning By-law Amendment for Lands Located at 8475 English Church Road, Glanbrook (Ward 11) is included on a future Planning Committee agenda.

**(iv) Applications to Amend the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92, and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 84, 86, 88, 90, 92, 94, 96 Lakeview Drive (Stoney Creek) (Ward 10) (PED18085) (Item 6.4)**

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, 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.

**Written Comments**

6.4(a) Eudora Leblanc, 97 Lakeview Drive, Stoney Creek

The written comments, Item 6.4(a), were received.

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.

John Ariens of IBI Group, addressed Committee with the aid of a PowerPoint presentation and requested amendments to the staff recommendations. A copy of the presentation is available for viewing on the City's website.

The agent's presentation was received.

**Speakers**

**1. Rodney Wortley, 9 Thomas Court, Stoney Creek**

Rodney Wood addressed Committee and expressed various concerns with the proposal.

**2. Al Cordery, 91 Lakeview Drive, Stoney Creek**

Al Cordery addressed Committee and indicated his concerns with the proposal.

The delegations were received.

The public meeting was closed.

The recommendations were amended to add stand-alone residential uses to the Phase Two lands of the applications to permit a future stand-alone residential or mixed use development for the lands known as 86, 88, 90, 92, 94, and a portion of 96 Lakeview Drive (Phase Two lands)

That Planning Department staff were directed to:

- (i) Remove Clause 1.0c) from Section 4.2.1 Chapter C – Urban Site Specific Policies “USCC-XX”;
- (ii) Prepare two separate By-laws in a form satisfactory to the City Solicitor, to amend the City of Stoney Creek Zoning By-law No. 3692-92; one By-law for a Multiple Residential “RM3-64” Zone, Modified, and one By-law for the Mixed Use Commercial “MUC-10” Zone, Modified; and be enacted by City Council;
- (iii) Add the permitted use of Apartment Dwelling to the Special Exemption for the Mixed Use Commercial “MUC-10” Zone.

The following subsection (e) was added to the recommendations:

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

For disposition of this matter refer to Item 4.

**(f) DISCUSSION ITEMS (Item 8)**

- (i) Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton’s Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 1518, 1530 and 1540 Upper Sherman Avenue, Hamilton (Ward 7) (PED18086) (Item 8.1)**

Jennifer Roth, 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.

## Delegations

**1. Joe Pyziak, 177 Acadia Drive, Hamilton**

Joe Pyziak addressed Committee and expressed concerns with the proposed development. A copy of his prepared statement has been submitted and a copy is available for viewing on the City's website.

The five minute time limit was extended for this delegation.

**2. Paul Busnello, 126 Cartier Crescent, Hamilton**

Paul Busnello addressed Committee and read from a prepared statement and expressed concerns with the proposed development.

**3. Helen McKenzie, 91 Carter Crescent, Hamilton**

Helen McKenzie addressed Committee with the aid of a PowerPoint presentation and expressed her concerns with the proposal. A copy of her presentation is available for viewing on the City's website.

**4. Patricia A. Kay, 39 Halo Street, Hamilton**

Patricia Kay was unable to attend.

**5. Doug Lockhart, 108 Chamomile Drive, Hamilton**

Doug Lockhart addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website. He spoke against the proposal.

**6. Bob Huget, 225 Acadia Drive, Hamilton**

Bob Huget addressed Committee and expressed concerns with the proposal and especially the lack of public consultation.

**7. Kim Zanello, 15 Ridgemount Drive, Hamilton**

Kim Zanello addressed Committee and expressed opposition to the proposed by-law amendments. A copy of her written submission is available for viewing on the City's website.

**8. Glen Wellings, Wellings Planning Consultants**

Glen Wellings addressed Committee and indicated that he is a planning consultant for Sonoma Homes and that they have listened carefully to the delegations and to the submitted written comments. He explained that the appeal was submitted because of the uncertainty due to the transition of the appeal process from the Ontario Municipal Board (OMB) to the Local Planning Appeals Tribunal (LPAT) and the purpose was not to shut down the public consultation.

The delegations were received and referred to staff for consideration when preparing their recommendation report regarding this matter.

For further disposition of this matter refer to Item 5.

**(ii) Hamilton Municipal Heritage Committee Report 18-004 (Item 8.2)**

Jeremy Parsons, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the proposal to designate 1021 Garner Road East, Ancaster under the Ontario Heritage Act. A copy of his presentation is available for viewing on the City's website.

Ward Councillor Ferguson was in attendance for this Item.

The staff presentation was received.

**Delegation**

**1. Scott Gallea, 1021 Garner Road, Ancaster**

Scott Gallea addressed Committee and requested that the designation of 1021 Garner Road under the Ontario Heritage Act be deferred to allow him time to investigate the process required for his plans to move his house forward and sell a portion of the back yard for development in order to raise the money he requires to preserve the house.

The delegation was received.

Scott Gallea was permitted to address Committee a second time.

Scott Gallea assured Committee that he does not intend to demolish his house or his garage.

For disposition of this matter refer to Item 6.

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

Committee did not consider the following Item and it will therefore be included on the next agenda:

**(i) OUTSTANDING BUSINESS LIST**

(a) That the following Item be identified as completed and be removed:

Item "F" – Deferral of Item 5 of HMHC Report 15-005 proposing inclusion of 1021 Garner Rd E on register of properties of cultural heritage value or interest to allow consultation with property owner and to correct wording. (Item 8.2 on this agenda.)

**(h) PRIVATE AND CONFIDENTIAL**

**(i) Appeal of Non-Decision of Proposed Urban Hamilton Official Plan (UHOP) Amendment and Zoning By-Law Amendment for lands located at 1117 Garner Road East, Ancaster (LS17011(a)/PED17066(a)) (Ward 12) (Distributed under separate cover.) (Item 12.1)**

Committee moved into Closed Session at 1:58 p.m. to discuss Item 12.1 pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Committee reconvened in Open Session at 2:27 p.m.

For disposition of this matter refer to Item 7.

**(i) ADJOURNMENT (Item 14)**

That, there being no further business, the Planning Committee be adjourned at 2:30 p.m.

Respectfully submitted,

Councillor A. Johnson  
Chair, Planning Committee

Ida Bedioui  
Legislative Co-ordinator  
Office of the City Clerk

**Adjustments to School Crossing Locations  
 2017 - 2018 School Year**

<b>WARD 2</b>					
<b>Intersection Type</b>	<b>Hours Worked</b>	<b>Crossing Location</b>	<b>Status</b>	<b>Comments</b>	<b>School Serviced</b>
Through	1.65	Mary & Wilson	New Location	Ongoing Road Contructions Project -Temporary	Dr. Davey
All Way	1.65	Forest & Walnut	New Location	N/A	Queen Victoria
<b>WARD 4</b>					
<b>Intersection Type</b>	<b>Hours Worked</b>	<b>Crossing Location</b>	<b>Status</b>	<b>Comments</b>	<b>School Serviced</b>
Through	2.75	Britannia & Weir	Lunch Removal	0 Children Crossing and Principal Approval	W.H Ballard
<b>WARD 12</b>					
<b>Intersection Type</b>	<b>Hours Worked</b>	<b>Crossing Location</b>	<b>Status</b>	<b>Comments</b>	<b>School Serviced</b>
Traffic Circle	1.65	Raymond Dr & Whittington Rd	New Location	2 Guards Added	Tiffany Falls

111 Kenilworth Access, Hamilton  
Barton and Kenilworth Reservoirs

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

**Statement of Cultural Heritage Value or Interest**

The Barton and Kenilworth Reservoirs, at 111 Kenilworth Access in the east end of the City of Hamilton, are situated on a long and narrow 8-hectare terrace below the crest of the Niagara Escarpment, between the former Hamilton and Lake Erie Railway (now the Escarpment Trail) and the Toronto, Hamilton and Buffalo Railway. The property includes mid-to-late 19th century elements associated with the Barton Reservoir, a component of Hamilton's first municipal waterworks, which were superseded in the mid-20th century by the Kenilworth Reservoir and associated structures.

The property that includes the Barton and Kenilworth Reservoirs is of cultural heritage value for its architectural, associative, and contextual elements, and collectively as a cultural heritage landscape. Constructed as a key element of the Hamilton Waterworks between 1856 and 1857, the Barton Reservoir is an 11-million gallon (3,785,412 litre) capacity, stadium-shaped basin lined with coursed limestone rubble and ashlar clay blocks, and supported on three sides by substantial earthworks. Associated with the basin are three (3) cast-iron pipes that empty into the basin, stone and concrete access stairs, cast-iron manhole covers for the valve shafts, and a two-stage standpipe built in ashlar limestone. East of the reservoir was the former Superintendent's Residence and public gardens, which were removed after 1970. To the west is the large and subterranean Kenilworth Reservoir, constructed in 1958, and its associated brick and poured concrete facilities. While the Kenilworth Reservoir is still in use, the Barton Reservoir is no longer operational and is covered in thick vegetation growth.

Barton Reservoir is of cultural heritage value as a component of the Hamilton Waterworks National Historic Site of Canada, the earliest surviving municipal waterworks system in Canada and one designed by Thomas Coltrin Keefer, an influential and highly respected hydraulic engineer recognized as a National Historic Person of Canada. Keefer selected the site for the reservoir and specified its construction in a combination of clay and stone. Under the leadership of Chairman of the Board of Water Commissioners, Adam Brown, the reservoir was completed as part of the larger waterworks infrastructure for an official opening by the Prince of Wales in 1860. Shortly afterward Barton Reservoir was upgraded with a stone standpipe and turbine, and a two-storey Italianate Superintendent's Residence surrounded by public gardens built nearby. Of these later features only the standpipe remains but it is of historical and physical value as a rare and well-preserved example of its type. Construction of the Kenilworth Reservoir in 1958 made the Barton Reservoir obsolete. As a result of the waterworks system's success and by providing water for fire suppression and disease-free consumption, Hamilton could expand exponentially into its rural countryside. The Kenilworth Reservoir is of associative value for its connection

to Hamilton's large and complex urban water supply system, and the continuous use of the property for municipal waterworks for 160 years.

Although now overgrown with vegetation, the Barton Reservoir has a high level of heritage integrity for its physical remains and the visual and historical connections it maintains with other elements of Hamilton Waterworks system, specifically the Pipeline Trail and the Hamilton Waterworks near the Lake Ontario shore. As an element of Hamilton's first municipal waterworks, the Barton Reservoir played a critical role in the City's 19th century expansion and development into one of Ontario's major population and industrial centres. The efficiency of the waterworks system became a source of civic pride for Hamiltonians, as represented by the numerous public fountains including the central Gore Park, and in the beautification of Barton Reservoir as a public park.

### **Description of Heritage Attributes**

The key attributes that support the heritage value of Barton Reservoir include its:

- Large, stadium-shaped reservoir with:
  - Lining of puddled clay, stone chippings, and coursed rubble and clay blocks;
  - Large cast iron pipes, one supported on a brick pad;
  - Stone and concreted access stairway; and,
  - Large earthen embankment.
- Two-stage standpipe with:
  - Slanted walls constructed in large ashlar rusticated stone with cyclopean (rock or quarry faced) rustication and tooled and chamfered margins chiselled margins;
  - Intact riveted iron casing with guide wires; and,
  - Access ladder and railing made using iron pipe and elbows.
- Features associated with the reservoir including the cast iron valve manhole covers, hydrant, and wide drainage ditch.
- Archaeological remains of the Superintendent's Residence complex and Reservoir Park.
- Expansive and clear views of the City of Hamilton, the Pipeline Trail, the Hamilton Waterworks National Historic Site, and Lake Ontario.

The key attributes that support the heritage value of Kenilworth Reservoir include its:

- Brick pumphouse with metal strip art installation;
- Brick reservoir access structure with Roman relieving arches; and,
- Expansive and clear views of the City of Hamilton.

# Statement of Cultural Heritage Value or Interest

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## 1021 Garner Road East, Ancaster (Lampman House)

### Description of Historic Place

The Lampman House is a one and a half storey stone dwelling that was constructed ca. 1854-1858 in the Neo-Classical architectural style. The dwelling is located along Garner Road within the original settlement lands of the Lampman family (Lot 52, Concession 3, Ancaster Township). The property is addressed as 1021 Garner Road East, Ancaster and is located on the north side of Garner Road East, between Raymond Road and Springbrook Avenue.

### Statement of Cultural Heritage Value

The property at 1021 Garner Road East, Ancaster has cultural heritage value as a stone dwelling built between 1854-1858 by John Lampman and as representative example of Neo-Classical architecture. The Lampman House includes decorative quoins, voussoirs, sidelights, and a transom window. The modest, symmetrical plan was typical of Loyalist architecture in Ontario at the time.

The Lampman family were German-American Loyalists who settled in British Canada following the culmination of the American Revolutionary War. John Lampman and his family were formational members of the establishment of the New Connection Methodist sect in Canada, a Protestant denomination which seceded from the Wesleyan Methodist Church. Some sources indicate that the sect's first meeting in Canada was held in the Lampman House.

The property is significant in its historical associations with the Lampman Family, one of the region's earliest settler families and United Empire Loyalists. Contextually, the property was once part of a much larger parcel of land granted to Matthias Lampman in 1792-93. The property is located along Garner Road East, formerly known as "Methodist Row" and is nearby a number of historic churches forming part of this unique cultural landscape of religious settlement.

### Heritage Attributes

The heritage attributes of the property at 1021 Garner Road East, Ancaster that display its cultural heritage value include:

#### South (Front) Façade:

- Symmetrical three-bay façade profile;
- Limestone rubble walls;

- Sandstone cut quoin corner blocks;
- Roof profile and roofline;
- Westerly chimney;
- Symmetrical windows including sills and stone voussoirs; and,
- Entrance envelope including,
  - o Front door;
  - o Sidelights; and,
  - o Transom window.

West, East, and North (Rear) Elevations:

- Limestone rubble walls;
- Sandstone cut quoin corner blocks;
- Roof profile and roofline;
- All windows, doors, and connections to stone masonry; and,
- Unique sandstone voussoirs.

**Schedule 1**

**DRAFT Urban Hamilton Official Plan  
Amendment No. X**

The following text, together with:

Appendix "A"      Volume 1, Schedule E-1 – Urban Land Use Designations

Appendix "B"      Volume 3, Map 2 – Urban Site Specific Key Map

attached hereto, constitutes Official Plan Amendment No. **XX** to the Urban Hamilton Official Plan.

**1.0    Purpose and Effect:**

The purpose and effect of this Amendment is to redesignate the subject lands and to establish Site Specific Policies to permit the proposed development of 94 Maisonette Dwellings and 42 Stacked Townhouse Dwellings on a private road, having a net residential density of 49 units per hectare, and to permit a future stand-alone residential or mixed use development.

**2.0    Location:**

The lands affected by this Amendment are known municipally as 84, 86, 88, 90, 92, 94 and 96 Lakeview Drive, in the City of Hamilton (former City of Stoney Creek).

**3.0    Basis:**

The basis for permitting this Amendment is:

- The proposal satisfies all characteristics and requirements of the medium density residential policies, save and except the prescribed residential density range.
- The proposed Amendment is compatible with the existing and planned development in the immediate area.
- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

#### 4.0 Actual Changes:

#### 4.1 Volume 1 – Parent Plan

##### *Schedules and Appendices*

##### 4.1.1 Schedule

- a. That Volume 1: Schedule E-1 – Land Use Designations be amended by redesignating the subject lands from "Arterial Commercial" to "Mixed Use – Medium Density" and from "Arterial Commercial" to "Neighbourhoods", as shown on Appendix "A" attached to this Amendment.

#### 4.2 Volume 3 – Special Policy Areas, Area & Site Specific Policies

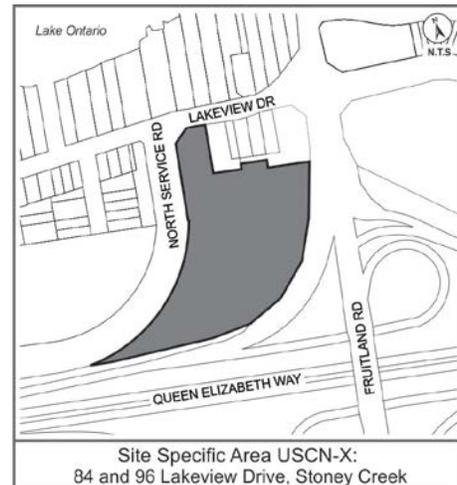
##### *Text*

##### 4.2.1 Chapter C – Urban Site Specific Policies

- a. That Volume 3: Chapter C – Urban Site Specific Policies – Stoney Creek Neighbourhoods be amended by adding a new site specific policy, as follows:

**"USCN-X Lands located at 84 and a portion of 96 Lakeview Drive, former City of Stoney Creek**

- 1.0 Notwithstanding Policy E.3.5.7 of Volume 1, on the lands designated Neighbourhoods, located at 84 and a portion of 96 Lakeview Drive, for medium density residential uses, the net residential density shall be between 40 units per hectare and 100 units per hectare."



- b. That Volume 3: Chapter C – Urban Site Specific Policies – Stoney Creek Commercial be amended by adding a new site specific policy, as follows:

**"USCC-XX Lands located at 86, 88, 90, 92, 94 and a portion of 96 Lakeview Drive, former City of Stoney Creek**

- 1.0 In addition to Section E.4.6 Mixed Use – Medium Density Designation, on the lands designated Mixed Use – Medium Density, located at 86, 88, 90, 92, 94 and a portion of 96 Lakeview Drive, the following policy shall also apply:



- a) Notwithstanding Policy E.4.6.5 a) and in addition to Policy E.4.6.6 of Volume 1, drive-through facilities shall be prohibited.

## Maps

### 4.2.2 Maps

- a. That Volume C: Map 2 – Urban Site Specific Key Map be amended by identifying the subject lands as USCN-XX and USCC-XX, as shown on Appendix "B" to this Amendment.

## 5.0 Implementation:

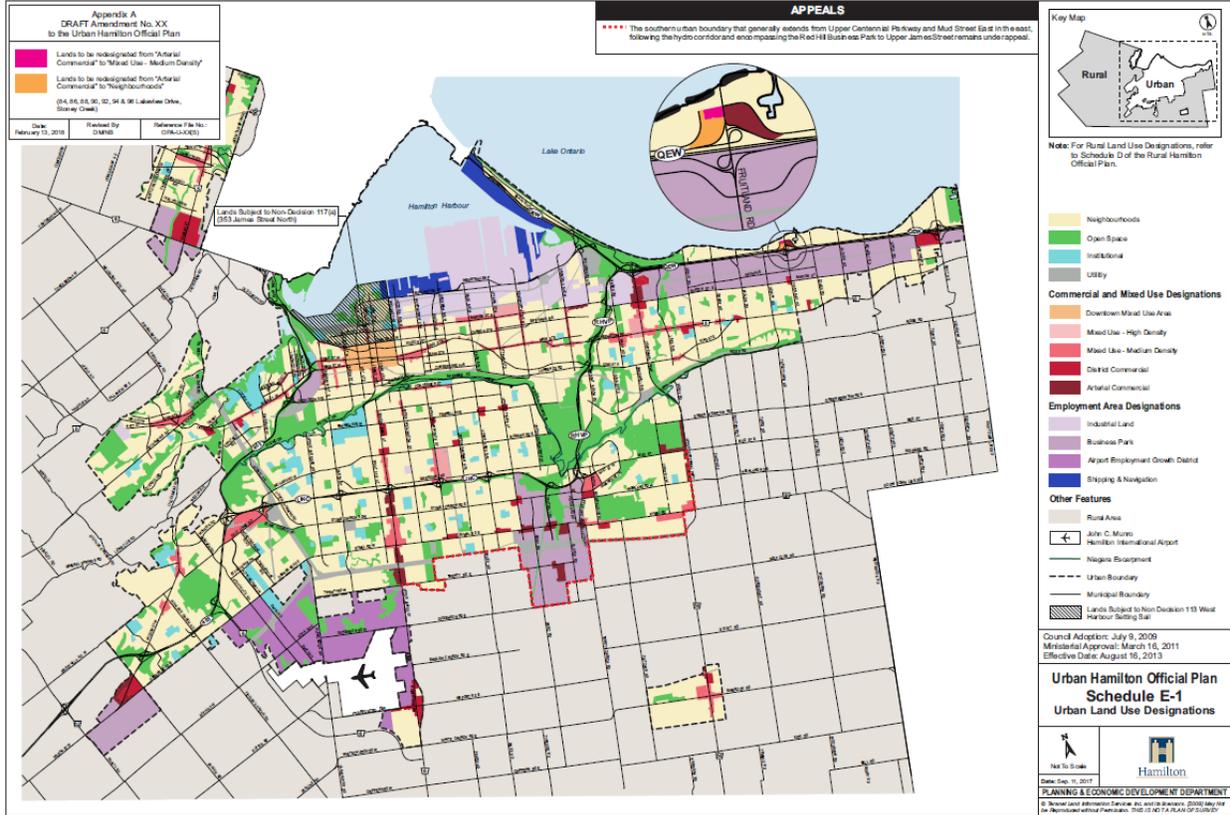
An implementing Zoning By-Law Amendment will give effect to the intended uses on the subject lands.

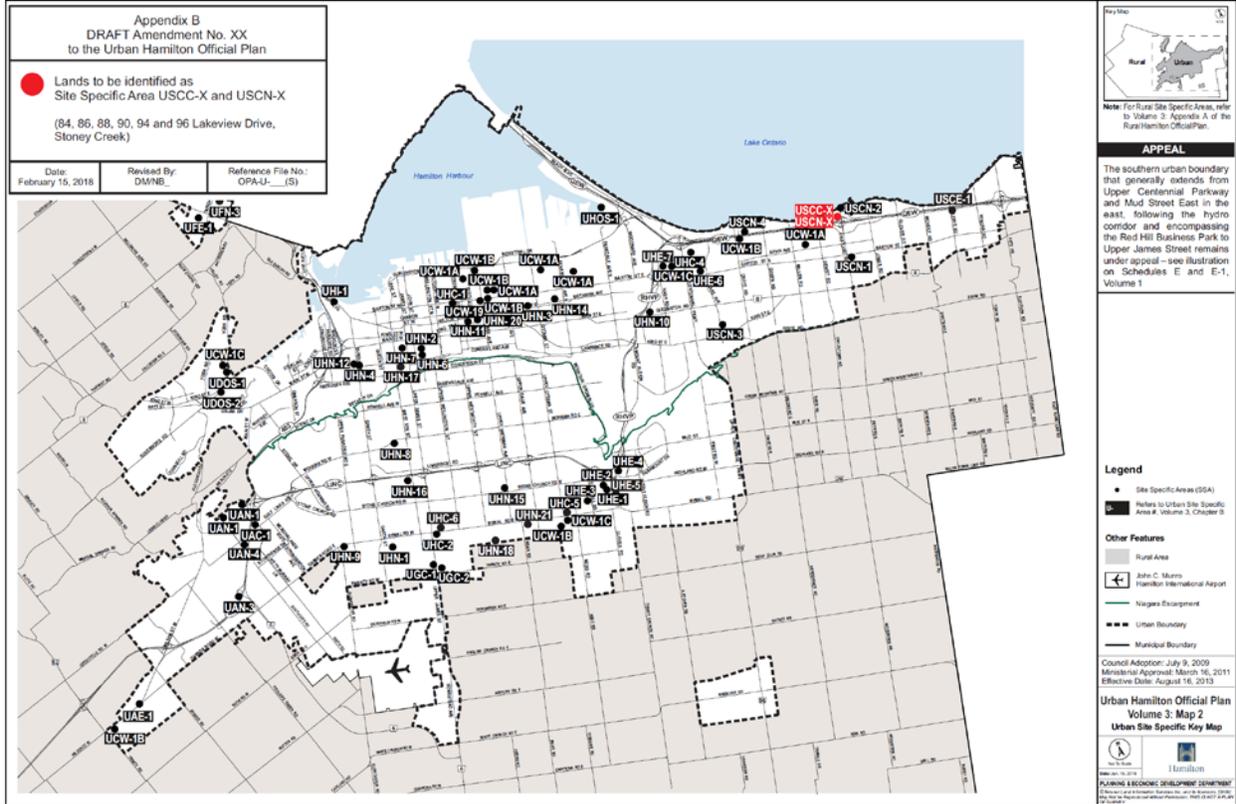
This Official Plan Amendment is Schedule "1" to By-law No. [REDACTED] passed on the [REDACTED] of [REDACTED], 2018.

The  
City of Hamilton

\_\_\_\_\_  
Fred Eisenberger  
MAYOR

\_\_\_\_\_  
CITY CLERK





**Authority:**

**Ward:** 10

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. \_\_\_\_\_**

**A by-law to amend Zoning By-law 05-200 to permit the development of a future *stand-alone residential or mixed use development* ~~local commercial uses~~ on lands located at 86, 88, 90, 92, and 94 Lakeview Drive and a portion of 96 Lakeview Drive (Stoney Creek)**

**WHEREAS** Council approved Item \_\_\_ of Report \_\_\_\_\_ of the Planning Committee, at its meeting held on \_\_\_\_\_, 2018;

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

**NOW THEREFORE** Council enacts as follows:

1. That Map No. 1100 of Schedule "A" - Zoning Maps, of Zoning By-law No. 05-200, be amended as follows:
  - a. by adding to the City of Hamilton Zoning By-law No. 05-200, the lands the extent and boundaries of which are shown as Schedule "A" to this By-law; and,
  - b. by establishing a Mixed Use Medium Density (C5, 682) Zone, to the lands the extent and boundaries of which are shown as Schedule "A" to this By-law.
2. That Schedule "C" – Special Exceptions, of By-law No. 05-200 is hereby amended by adding an additional special exception as follows:

"682 Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1100 of Schedule "A" – Zoning Maps and described as 86, 88, 90, 92, and 94 Lakeview Drive and a portion of 96 Lakeview Drive, the following special provisions shall apply:

  - a) Notwithstanding Section 5.6 c), the parking requirement shall be 1.3 per dwelling unit.

- b) Modify Subsection 10.5.1 by deleting "Dwelling Unit(s)" and replacing it with "Dwelling Unit(s) in conjunction with a Commercial Use".
  - c) Notwithstanding Subsection 10.5.3 a) ii), the minimum building setback from a street line shall be 1.5 metres, up to a maximum of 4.5 metres, except where a visibility triangle is required for a driveway access.
  - d) Subsection 10.5.3 g) ii), iii) and iv) shall not apply.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

**PASSED and ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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F. Eisenberger  
MAYOR

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CLERK

ZAC-17-020

*For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law*

Is this by-law derived from the approval of a Committee Report? Yes

Committee: PC

Report No.: PED18085

Date: 05/01/2018

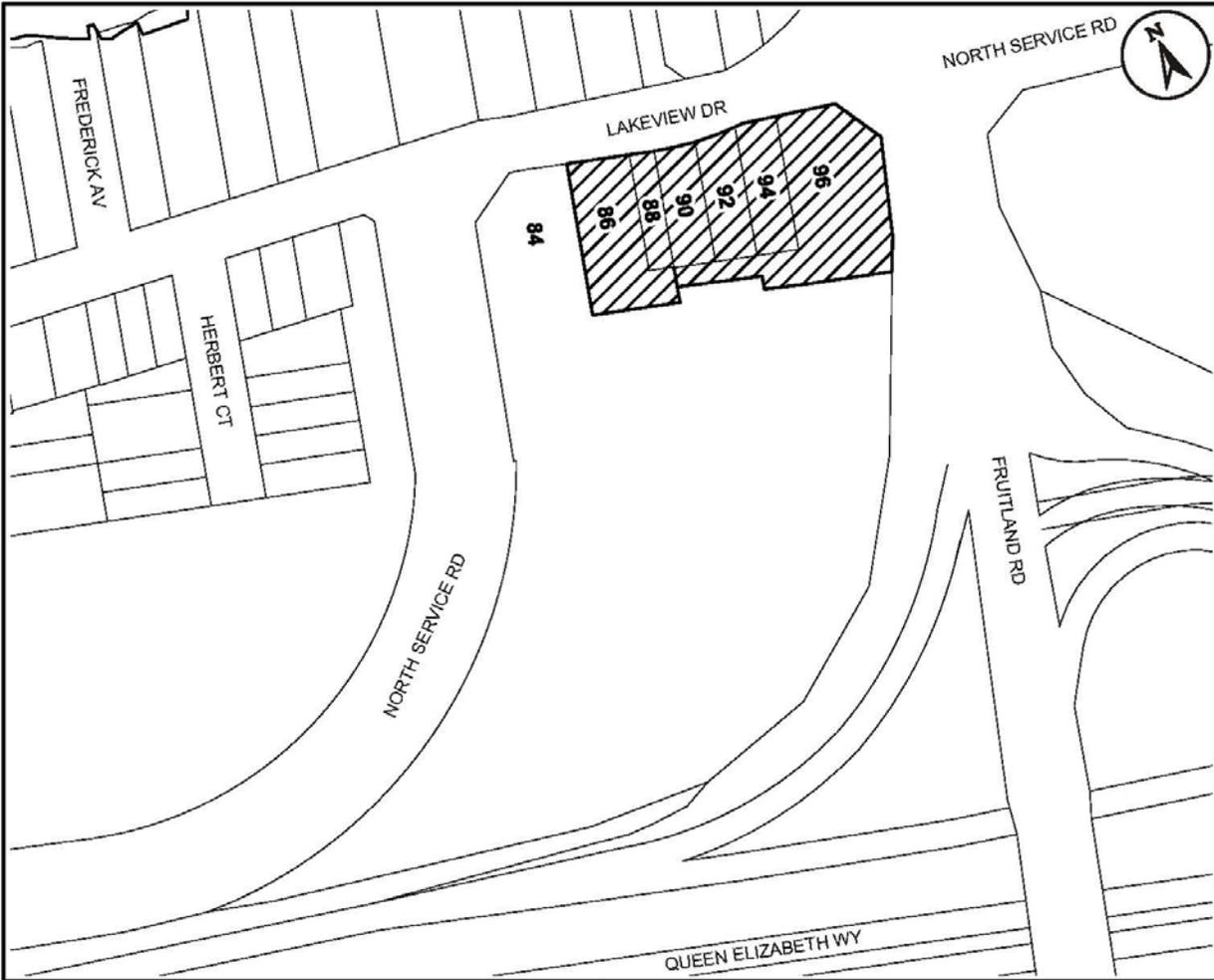
Ward(s) or City Wide: Ward 10

(MM/DD/YYYY)

Prepared by: Alana Fulford

Phone No: 4771

*For Office Use Only, this doesn't appear in the by-law*



This is Schedule "A" to By-law No. 18-  Passed the ..... day of ....., 2018	----- Mayor  ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2>  <h3 style="margin: 0;">Map Forming Part of By-law No. 18-_____</h3>  <h3 style="margin: 0;">to Amend By-law No. 05-200 Map 1100 &amp; 1149</h3>	<p><b>Subject Property</b>                  84, 86, 88, 90, 92, 94 &amp; 96 Lakeview Drive</p> <p> Lands added to By-law No. 05-200 and zoned Mixed Use Medium Density (C5, 682) Zone</p>
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Scale: N.T.S.	File Name/Number: ZAC-17-020/UHOPA-17-009	 Hamilton
Date: April 23, 2018	Planner/Technician: AF/VVS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		