



## PLANNING COMMITTEE

### REPORT 18-011

9:30 a.m.

Tuesday, July 10, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Also present:** Councillors S. Merulla and L. Ferguson

**Absent with**

**Regrets:** Councillor A. Johnson (Chair), personal

### THE PLANNING COMMITTEE PRESENTS REPORT 18-011 AND RESPECTFULLY RECOMMENDS:

1. **Giorgio Cotroneo, to provide suggestions on making Hamilton greater. (For next meeting.) (Added Item 4.1)**

That the delegation request from Giorgio Cotroneo to provide suggestions on making Hamilton greater, be referred to the General Issues Committee.

2. **Licensing Short Term Rental (STR) Accommodations (PED17203(a)) (City Wide) (Item 5.1)**

That Report PED17203(a) respecting Licensing Short Term Rental (STR) Accommodations, be received.

3. **Appeal to the Local Planning Appeals Tribunal (LPAT) for Lack of Decision for an Amendment to City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1190 Main Street West, 43, 47, 51 and 55 Forsyth Avenue South, 75, 77, 81, 83, 99, 103, 107, 111 and 115 Traymore Avenue, and 50 Dalewood Avenue, Hamilton (PED18149) (Ward 1) (Item 5.2)**

That Report PED18149 respecting Appeal to the Local Planning Appeals Tribunal (LPAT) for Lack of Decision for an Amendment to City of Hamilton

Zoning By-law No. 05-200 for Lands Located at 1190 Main Street West, 43, 47, 51 and 55 Forsyth Avenue South, 75, 77, 81, 83, 99, 103, 107, 111 and 115 Traymore Avenue, and 50 Dalewood Avenue, Hamilton, be received.

**4. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED18152) (City Wide) (Item 5.3)**

That Report PED18152 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

**5. Quantifying Administrative Penalty System (PED18156) (City Wide) (Item 5.4)**

That Report PED18156 respecting Quantifying Administrative Penalty System, be received.

**6. Expanding Administrative Penalty System (APS) to Include the Yard Maintenance By-law 10-118 (PED18165) (City Wide) (Item 5.5)**

- (a) That the amendment to the Administrative Penalty By-law 17-225 (APS) to include By-law 10-118 being a By-law to Regulate Exterior Property Maintenance Including Vegetation, Waste and Graffiti ("Yard Maintenance By-law") as shown in Appendix "A" to Report PED18165 which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (b) That the enforcement of Item 26 of Table 13 of the By-law be TABLED until staff review regulation 7.1(b) of the "Yard Maintenance By-law" and report back to Committee on its validity.

**7. Agriculture and Rural Affairs Committee Report 18-003 (Item 5.6)**

**(a) Comments and Feedback on the Motion respecting Opposition to Buy American Policies and the Tariffs Recently Imposed by the Trump Administration (Item 8.2)**

- (i) That the motion respecting Opposition to Buy American Policies and the Tariffs Recently Imposed by the Trump Administration, be endorsed;
- (ii) That a letter be forwarded to the Chair of the Agriculture and Rural Affairs Committee recognizing and expressing appreciation for his work and contribution and the work and contribution of all the volunteers on this Committee.

**8. Hamilton Municipal Heritage Committee Report 18-006 (Item 5.7)**

- (a) **Recommendation to Include the Property Located at 828 Sanatorium Road, Hamilton, in the Register of Property of Cultural Heritage Value or Interest (PED18142) (Ward 8) (Item 7.1)**

That the property located at 828 Sanatorium Road, Hamilton (Long & Bisby Building), as shown in Appendix "A" to PED18142, be included in the City's Register of Property of Cultural Heritage Value or Interest under Section 27 of the Ontario Heritage Act.

**9. Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 21 Mill Street North, Flamborough (PED18145) (Ward 15) (Item 6.2)**

- (a) That Amended Zoning By-law Amendment Application ZAR-18-011 by 2570850 Ontario Inc. c/o Scott Birmingham (Owner), for a modification to the Neighbourhood Institutional (I1) Zone to permit an office use for the lands located at 21 Mill Street North (Flamborough), as shown on Appendix "A" to Report PED18145 be APPROVED on the following basis:

- (i) That the Draft By-law, attached as Appendix "B" to Report PED18145, which has been prepared in a form satisfactory to the City Solicitor, as amended by adding the following subsection (f) to Section 2:

- (f) Notwithstanding Section 5.6(c) a minimum of 19 parking spaces shall be provided.

be enacted by City Council;

- (ii) That the proposed modification in zoning is consistent with the Provincial Policy Statement (PPS), 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 modification to the Mixed Use Medium Density - Pedestrian Focus (C5a) Zone to the Mixed Use Medium Density – Pedestrian Focus (C5a, 695) Zone, to permit the redevelopment of the existing building for an office use, for the lands located at 21 Mill Street North (Flamborough), as shown on Appendix "A" to Report PED18145 be APPROVED on the following basis:

- (i) That the Draft By-law, attached as Appendix "C" to Report PED18145, be held in abeyance until such time as By-law 17-240 (Commercial and Mixed Use Zones) is in force and effect; and,

- (ii) That staff be directed to bring forward the draft By-law, attached as Appendix "C" to Report PED18145, for enactment by City Council, once By-law No. 17-240 is in force and effect;
  - (c) That there were no public submissions received regarding this matter.
  
- 10. **Applications for an Urban Hamilton Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, for Lands Located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, Hamilton (PED18158) (Ward 4) (Item 6.3)**
  - (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-18-006 by Roxborough Park Inc., Applicant to establish a site specific policy area to permit residential development having a minimum net residential density of 115 units per hectare and a maximum net residential density of 135 units per hectare for lands located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, as shown on Appendix "A" to Report PED18158, be APPROVED, on the following basis:
    - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED18158, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
    - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe.
  - (b) That Amended Zoning By-law Amendment Application ZAC-18-010 by Roxborough Park Inc., Applicant, for a change in zoning from the "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District in the City of Hamilton Zoning By-law No. 6593 and Neighborhood Institutional (I1) Zone in the City of Hamilton Zoning By-law No. 05-200 to a site specific Downtown Multiple Residential (D6) Zone and Conservation / Hazard Land (P5) Zone in the City of Hamilton Zoning By-law No. 05-200 to permit eight blocks for 36 street townhouse dwellings (Blocks "1" and "3"), 44 block townhouse dwellings (Blocks "2" and "6"), 122 maisonette dwellings (Blocks "4" and "5"), 120 stacked townhouse dwellings ("Block "5"), three multiple dwelling buildings consisting of 365 dwelling units ("Block 7"), and 1 Conservation / Hazard Block (Block "8") for lands located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue as shown on Appendix "A" to Report PED18158 be APPROVED, on the following basis:

- (i) That the revised draft By-law, attached as Appendix "A" to Report 18-011, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the revised amending By-law, attached as Appendix "C" to PED18158, be added to Map No. 1092 of the City of Hamilton Zoning By-law No. 05-200;
- (iii) That Schedule "D" – Holding Provisions, of Zoning By-law No. 05-200, be amended by adding additional Holding provisions as follows:

For the lands identified as Blocks "1" – "3", on Map No. 1092 on Schedule "A" – Zoning Maps, and described as 20 Reid Avenue North (Hamilton), no development shall proceed until such time as:

- (a) A signed Record of Site Condition (RSC) has been submitted to the City of Hamilton and the Ministry of the Environment and Climate Change (MOECC). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECC, and submission of the City of Hamilton's current RSC administration fee.
  - (iv) That this By-law will be in conformity with the Urban Hamilton Official Plan, upon approval of Urban Hamilton Official Plan Amendment No. ;
- (c) That Draft Plan of Subdivision Application 25T-201802, by MHBC Planning, on behalf of Roxborough Park Inc., Applicant, to establish a Draft Plan of Subdivision for lands located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue as shown on Appendix "A" to Report PED18158, be APPROVED, subject to the following conditions:
- (i) That this approval apply to Draft Plan of Subdivision 25T-201802, prepared by A.T. McLaren Limited, and certified by S. Dan McLaren, O.L.S, dated November 30, 2017, attached as Appendix "E" to Report PED18158, consisting of 36 Street Townhouse Dwellings (Blocks 1 and 3), 44 Block Townhouse Dwellings (Blocks 2 and 6), 122 Maisonette Dwellings (Blocks 4 and 5), 120 Stacked Townhouse Dwellings (Blocks 4 and 5), and three Multiple Dwelling buildings consisting of 365 dwelling units (Block 7), subject to the Owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the special conditions attached as Appendix "B" to Report 18-011;

- (ii) That Payment of Cash-in-Lieu or dedication 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 day of issuance of each building permit as follows:
  - (1) For townhouses and maisonettes based on a maximum dedication rate of one hectare for every 500 dwelling units and capped at \$9,000 per townhouse dwelling unit, subject to annual indexing; and,
  - (2) For stacked townhouses and multiple dwellings, based on a fixed rate of \$7,000 per unit, subject to annual indexing; and that the affordable housing exemption may apply.
- (iii) In accordance with City financial policies, the City of Hamilton will share costs with the Owner for storm water infrastructure as follows:
  - a. 50% of the cost for the storm water infrastructure including the drop structure and downstream outfall infrastructure from MH 17 to Redhill Creek as shown in Drawing 9 of 14 from the Functional Servicing Report prepared by Amec Foster Wheeler, last revised April, 2018, subject to council approval of funding;
  - b. 50% of the cost of storm sewer construction and restoration for the proposed sewers on:
    - i. Reid Avenue North from Main Street East to Ayr Avenue;
    - ii. Bingham Road from Hayes Avenue to Ayr Avenue;
    - iii. Hayes Avenue from Bingham Road to the proposed MH 17;

Other cost sharing provisions for this development shall be in accordance with the City's Financial Policy, if any.
- (d) That the public submissions received regarding this matter did not affect the decision.

**11. Modifications and Updates to the Urban Hamilton, Rural Hamilton, and Former City of Hamilton Official Plans (PED18148) (City Wide) (Item 6.4)**

- (a) That approval be given to Official Plan Amendment to the Urban Hamilton Official Plan (UHOP) No. XX (CI-18-E) to amend policies, schedules and maps in Volume 1 – Parent Plan, Volume 2 – Secondary Plans, and Volume 3 - Area and Site Specific Policies of the UHOP, to implement previous planning decisions and correct and clarify policies and mapping, on the following basis:
  - (i) That the draft Urban Hamilton Official Plan Amendment (UHOPA), attached as Appendix “A” to Report PED18148, with the amended mapping (attached as Appendices C1 to C3 to Report 18-011) to reduce the Natural Heritage Feature for the lands located at 40 Parkside Avenue Dundas be adopted by Council;
  - (ii) That the proposed UHOPA is consistent with the Provincial Policy Statement (PPS), 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.
  
- (b) That approval be given to Official Plan Amendment to the Rural Hamilton Official Plan (RHOP) No. XX (CI-18-E) to amend policies, schedules and maps, contained in Volume 1 – Parent Plan, Volume 2 – Rural Settlement Areas, and Volume 3 – Area Specific Policies of Volume 3 of the RHOP, to correct and clarify policies and mapping, on the following basis:
  - (i) That the draft Rural Hamilton Official Plan Amendment (RHOPA), attached as Appendix “B” to Report PED18148, be adopted by Council;
  - (ii) That the proposed RHOPA is consistent with the Provincial Policy Statement (PPS), 2014 and conforms to the Greenbelt Plan, 2017 and the Growth Plan for the Greater Golden Horseshoe, 2017.
  
- (c) That approval be given to Official Plan Amendment to the Former City of Hamilton Official Plan No. XX (CI-18-E) to amend Schedule M-2 – General Land Use Plan of the West Harbour (Setting Sail) Secondary Plan to implement a previous planning decision of the Ontario Municipal Board (OMB) for lands located at 366 Bay Street North, on the following basis:
  - (i) That the draft Former City of Hamilton Official Plan Amendment (OPA), attached as Appendix “C” to Report PED18148, be adopted by Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (PPS), 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

- (d) That By-law 10-212 respecting 713 and Part of 777 Garner Road East, Ancaster, and By-law 11-252 respecting 460 and 480 Springbrook Avenue, Ancaster, relating to approved but not final and binding UHOPAs (UHOPA No. 3 and UHOPA No. 10, respectively) be repealed in their entirety.
- (e) That the public submissions received regarding this matter did not affect the decision.

**12. Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED18147) (City Wide) (Item 6.5)**

- (a) That approval be given to City Initiative CI-18-G for modifications and updates to the City of Hamilton Zoning By-law No. 05-200 on the following basis:
  - (i) That the Draft By-law, attached as Appendix "A" to Report PED18147, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan (UHOP) upon approval of Official Plan Amendment (OPA) No. \_\_\_\_;
  - (iii) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 and the Greenbelt Plan.
- (b) That approval be given to City Initiative CI-18-G for modifications and updates to the Town of Dundas Zoning By-law No. 3581-86 on the following basis:
  - (i) That the Draft By-law, attached as Appendix "B-1" to Report PED18147, as amended to further refine the mapping (attached at Appendix D to Report 18-011) to reflect the Natural Heritage Feature, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan (UHOP) upon approval of Official Plan Amendment (OPA) No. \_\_\_\_;
  - (iii) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

- (c) That approval be given to City Initiative CI-18-G for modifications and updates to the Town of Ancaster Zoning By-law No. 87-57 on the following basis:
  - (i) That the Draft By-law, attached as Appendix "B-2" to Report PED18147, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan (UHOP);
  - (iii) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017;
- (d) That the public submissions received regarding this matter did not affect the decision.

**13. Applications for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster (PED18118) (Ward 14) (Deferred June 5, 2018) (Item 6.7)**

- (a) That Amended Rural Hamilton Official Plan Amendment Application RHOPA-17-037 by The Green Organic Dutchman Holdings Limited (Owner), to establish a Site Specific Policy to permit a medical marihuana growing and harvesting facility within a new greenhouse with a maximum area of 13,000 sq m, and medical marihuana growing and harvesting facilities within new buildings with a maximum area of 2,000 sq m per building for portions of the lands located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster, as shown on Appendix "A" to Report PED18118, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED18118, be adopted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Greenbelt Plan (2017).
- (b) That Amended Zoning By-law Amendment Application ZAC-17-080 by The Green Organic Dutchman Holdings Limited (Owner), for a modification to the Agriculture (A1) Zone to permit a medical marihuana growing and harvesting facility within one new greenhouse with a maximum area of 13,000 sq m and medical marihuana growing and harvesting facilities within new buildings with a maximum area of 2,000 sq

m per building, to a maximum lot coverage of 20% including all buildings and structures on the combined lots, for portions of the lands located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster, as shown on Appendix "A" to Report PED18118, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "C" to Report PED18118, which has been prepared in a form satisfactory to the City Solicitor, *be amended by including the following conditions:*
  - 1. close any access to the property from Alberton Road, except for emergency services, and
  - 2. construct a landscaping buffer along Alberton Road.

And by including the following section 4:

- 4. That Schedule D – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

Notwithstanding Section 12.1 of this By-law, within the lands zoned Agriculture (A1, 689) Zone, on Maps RU131 and RU143, of Schedule "A" – Zoning Maps, and described as 1915, 1995 and 1997 Jerseyville Road West, the H Symbol applicable to the lands referred to in Section 1 of this By-law shall prohibit development of the lands and shall be removed conditional upon:

- (i) Prior to issuance of a Change of Use Permit to allow the use Medical Marihuana Growing and Harvesting within the greenhouse, the proponent shall:
  - 1. hold a community open house to explain the existing and proposed development;
  - 2. prepare and implement a Good Neighbours Strategy to the satisfaction of the Director of Planning and Chief Planner;
  - 3. prepare and submit a Safety Strategy for the operation of the site, in consultation with Hamilton Police Services;
  - 4. prepare and submit a construction management plan which will assess the existing road conditions to the satisfaction of the Director of Corridor Management and pay for any damage to the road as deemed necessary by the City as a result of the construction on the site;

5. prepare and submit an odour management strategy to the satisfaction of the Director of Planning and Chief Planner;

enacted by City Council;

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Greenbelt Plan (2017), and will comply with the Rural Hamilton Official Plan upon approval of Official Plan Amendment No. \_\_\_;
- (c) That the public submissions received regarding this matter did not affect the decision.

**14. To Change the Name of Highland Road to Highland Road West Within the Former City of Hamilton (PED18159) (Ward 6) (Added 8.1)**

That Highland Road, in the former City of Hamilton, between Pritchard Road and the former Municipal boundary between the City of Hamilton and the City of Stoney Creek, be renamed Highland Road West as identified on Appendix "A" to Report PED18159, in accordance with the draft By-law, attached as Appendix "B" to Report PED18159, which has been prepared in a form satisfactory to the City Solicitor, to be enacted by City Council.

**15. Burlesque Entertainment – Amend Business Licensing By-law 07-170 (Schedule 1 Adult Entertainment) (PED18151) (City Wide) (Outstanding Business List Item) (Added 8.2)**

- (a) That Schedule 1 (Adult Entertainment Establishments) of the City of Hamilton's Business Licensing By-law 07-170 be amended to add a definition of "burlesque entertainment" and to amend the definition of "adult services" to create an exemption for burlesque entertainment, as described in Report PED18151;
- (b) The subject to approval of Recommendation (a), the Business Licensing By-law 07-170 be amended and enacted by Council, with content acceptable to the General Manager of Planning and Economic Development and in a form satisfactory to the City Solicitor.

**16. By-law to Prohibit Driving School Instruction in Restricted Areas (PED17179(a)) (Ward 5) (Outstanding Business List Item) (Item 8.3)**

That the By-law, attached as Appendix "A" to Report PED17179(a), prohibiting Provincially Licensed Driving School Instructors from providing driving lessons on Municipal streets used as Drive Test examination routes within the City of

Hamilton, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

**17. Cigarette Butt Litter Enforcement (PED18154) (City Wide) (Outstanding Business List Item) (Item 8.4)**

That Report PED18154 respecting Cigarette Butt Litter Enforcement, be received.

**18. Parking Master Plan (PED18155) (City Wide) (Item 8.5)**

- (a) That staff be directed to undertake a process to develop a Parking Master Plan (PMP) in accordance with the Parking Master Plan Terms of Reference (TOR) set out in Appendix "A" to Report PED18155;
- (b) That staff be directed and authorized to prepare a Request for Proposal (RFP) to retain a consultant to prepare a Parking Master Plan (PMP) based on the Terms of Reference (TOR) set out in Appendix "A" to Report PED18155;
- (c) That all costs associated with the development of the Parking Master Plan (PMP) be funded from Parking Reserve No. 108021 with an upset limit of \$200,000.

**19. To Designate 679 Main Street East and 85 Holton Avenue South, Hamilton (St. Giles United Church) under Part IV of the *Ontario Heritage Act* (Referred from Council June 27, 2018) (Item 9.2)**

- (a) That 679 Main Street East and 85 Holton Avenue South, Hamilton (former St. Giles United Church), not be designated as a property of cultural heritage value pursuant to the provisions of Part IV of the Ontario Heritage Act;
- (b) That the owners of St. Giles United Church be requested to work with heritage staff to preserve, in some form, the history of the building at 679 Main Street East and 85 Holton Avenue South.

**20. The Round-About at Maggie Johnson and Tanglewood, Binbrook Village (Added Item 10.3)**

WHEREAS, the Round-About at Maggie Johnson and Tanglewood, Binbrook Village, has been assumed by the City of Hamilton;

WHEREAS, this Round-About was never completed and planted as part of the Plan of Development and has been left unmaintained and full of weeds for over 2 years;

WHEREAS, the City of Hamilton has now assumed responsibility for this Round-About

WHEREAS, City staff cannot maintain this Round-About until the required work and plantings are completed; and

WHEREAS, City staff have costed the work required and are able to proceed when funds are available;

THEREFORE, BE IT RESOLVED:

- (a) That Development Engineering staff be directed to have the Round-About at Maggie Johnson and Tanglewood, Binbrook Village, brought to City Standard as part of the Plan of Subdivision and the upset amount of \$18,000 be funded from the 2009 City Share Account # 4140946108;
- (b) That \$1,800 be added to the 2019 Public Works Operating Budget for horticultural service related to said roundabout.

**21. Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application, Town of Flamborough Zoning By-law No. 90-145-Z Amendment Application and Draft Plan of Subdivision for Lands Located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129-137 Truedell Circle (Flamborough) (LS18007/PED18051) (Ward 15) (Distributed under separate cover.) (Item 12.1)**

That the recommendations of Report LS18007/PED18051 respecting Flamborough Zoning By-law No. 90-145-Z Amendment Application and Draft Plan of Subdivision for Lands Located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129-137 Truedell Circle (Flamborough) be approved and remain private and confidential until Council approval.

**FOR INFORMATION:**

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

The Committee Clerk advised of the following changes:

**1. ADDED DELEGATION REQUESTS**

- 4.1 Giorgio Cotroneo, to provide suggestions on making Hamilton

greater. (For next meeting.)

- 4.2 Reverend Ian Sloan, New Vision United Church, to speak regarding the motion to designate 85 Holton Avenue South under Part IV of the Ontario Heritage Act. (Item 9.2) (For today's meeting)
- 4.3 Daniel Peace, Chair of the Board of Trustees of New Vision United Church to present their position that the properties at 679 Main Street East and 85 Holton Avenue South not be designated. (Item 9.2) (For today's meeting.)
- 4.4 Dixon Challoner regarding the proposed heritage designation of 85 Holton Street South (Item 9.2) (For today's meeting.)
- 4.5 Victor Mejia, Church of Christ, regarding the proposed heritage designation of 85 Holton Street South (Item 9.2) (For today's meeting.)

## **2. ADDED WRITTEN COMMENTS/REGISTERED SPEAKERS**

- 6.4 Modifications and Updates to the Urban Hamilton, Rural Hamilton and Former City of Hamilton Official Plans (PED18148) (City Wide)

### **Added Written Comments**

6.4 (a) Marco Marchionda

### **Added Registered Speakers**

1. Amber Lindsay, UrbanSolutions Planning & Land Development Consultants Inc. respecting 40 Parkside Avenue, Dundas
- 6.7 Applications for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster (PED18118) (Ward 14) (DEFERRED June 5, 2018)

### **Added Written Comments**

- 6.7(d) Susan Creer, referred from the June 27, 2018 Council agenda
  - 6.7(e) Signe Leisk, Cassels Brock & Blackwell LLP, on behalf of their client, The Green Organic Dutchman.
- 9.2 To Designate 679 Main Street East and 85 Holton Avenue South, Hamilton (St. Giles United Church) under part IV of the Ontario

Heritage Act (Referred from Council June 27, 2018)

**Added Written Comments**

9.2(a) Daniel Peace, referred from the June 27, 2018 Council agenda

9.2(b) Marie Sharp, referred from the June 27, 2018 Council agenda.

**4. REPLACED APPENDICES**

- (i) Appendix "C" to Item 6.3 is replaced as staff have made some modifications to the draft by-law
- (ii) Page 13 of Appendix "D" to Item 6.3 is replaced as it now includes an additional draft plan condition requested by Union Gas.
- (iii) Appendix "B" to Item 6.7 is replaced as the original version was missing the Site Specific Key Map.

**5. ADDED NOTICE OF MOTION**

- 10.1 Commemorative Designation of the 400 Block of Wentworth Street North
- 10.2 Ancaster High School, 374 Jerseyville Road West, Ancaster, to be considered for Heritage Designation.

**6. OUTSTANDING BUSINESS LIST DUE DATES:**

11.1 Outstanding Business List

- (a) Items requiring new due dates (update):

Item "D" - Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166)

Due date: July 10, 2018

New due date: September 18, 2018

Item "E" - Staff to consult with property owners & Councillor 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: July 10, 2018

New due date: January 15, 2019

Item 10.1 was withdrawn.

- (a) Item 6.6, 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) which was TABLED on May 1, 2018 will remain TABLED to allow for discussion between the applicant and staff;
- (b) 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.

The agenda for the July 10, 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) June 19, 2018 (Item 3.1)**

The Minutes of the June 19, 2018 meeting were approved.

**d) DELEGATION REQUESTS**

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

- 4.2 Reverend Ian Sloan, New Vision United Church, to speak regarding the motion to designate 85 Holton Avenue South under Part IV of the Ontario Heritage Act. (Item 9.2)
- 4.3 Daniel Peace, Chair of the Board of Trustees of New Vision United Church to present their position that the properties at 679 Main Street East and 85 Holton Avenue South not be designated. (Item 9.2)
- 4.4 Dixon Challoner regarding the proposed heritage designation of 85 Holton Street South (Item 9.2);
- 4.5 Victor Mejia, Church of Christ, regarding the proposed heritage designation of 85 Holton Street South (Item 9.2) (For today's meeting.)

Item 9.2 was considered after the Public Meeting Section (after Item 6.7.)

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

**(i) Glenn Wise, Macassa Bay Year-Round Liveaboard Association, to discuss year-round liveaboard boat residency. (No copy) (Approved June 5, 2018.) (Item 6.1)**

Raymond DiGregorio of Camporese, Sullivan DiGregorio addressed Committee, on behalf of his client Mr. Wise, with the aid of a PowerPoint presentation. Copies of the hand-out were distributed. Mr. Wise also addressed Committee requesting that the City permit liveaboard boat residency at least for this winter season until a permanent solution is reached. A copy of his presentation is available for viewing on the City's website.

- (a) The delegations were received;
- (b) Planning staff were directed to meet with the delegation from the Macassa Bay Year-Round Liveaboard Association and their representatives to discuss an accommodation plan for the 2018/2019 winter season within the parameters of the existing zoning and other City by-laws;
- (c) Staff are to report back at the August 14, 2018 meeting with an outline of the existing rules regarding the proposal for liveaboard boat residency;
- (d) Staff are to provide an update to the Planning Committee in September 2018 regarding the result of the negotiations with the representatives of the Macassa Bay Year-Round Liveaboard Association.

**(ii) Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 21 Mill Street North, Flamborough (PED18145) (Ward 15) (Item 6.2)**

In accordance with the provisions of the *Planning Act*, Vice Chair Farr 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 staff presentation was waived.

Stephen Fraser of A.J. Clarke and Associates, was in attendance representing the owner. Mr. Fraser indicated that the owner is in support of the staff report.

That the public meeting was closed.

- (a) The by-law attached as Appendix B to the Report was amended by adding the following subsection (f) to Section 2:
  - (f) Notwithstanding Section 5.6(c) a minimum of 19 parking spaces shall be provided.
- (b) The recommendations were amended by adding the following subsection (c):
  - (c) That there were no public submissions received regarding this matter.

For disposition of this matter refer to Item 9.

**(iii) Applications for an Urban Hamilton Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, for Lands Located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, Hamilton (PED18158) (Ward 4) (Item 6.3)**

In accordance with the provisions of the *Planning Act*, Vice Chair Farr 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 and 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 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.

Adam Lucas, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report and the changes to

the draft by-law (appendix C to the report) and the draft plan conditions (Appendix D to the report). A copy is available for viewing on the City's website.

The staff presentation was received.

Ward Councillor Merulla was in attendance and spoke in support of the proposal.

Dana Anderson and Kelly Martel of MHBC Planning were in attendance representing the owner. Dana Anderson addressed Committee with the aid of a PowerPoint presentation and a copy is available for viewing on the City's website. She indicated that the owner is in support of the staff report and provided an overview of the proposal.

The agent's presentation was received.

**Speakers**

**1. Sylvia Perrone, 42 Reid Avenue South**

Sylvia Perrone expressed concerns with the proposal.

**2. June Noonan, 41 Reid Avenue South**

June Noonan addressed Committee and expressed concerns that the current residents, who are mostly seniors, will need to be moved twice by CityHousing Hamilton.

The public meeting was closed.

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 10.*

- (iv) **Modifications and Updates to the Urban Hamilton, Rural Hamilton, and Former City of Hamilton Official Plans (PED18148) (City Wide) (Item 6.4)**

**AND**

- (v) **Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED18147) (City Wide) (Item 6.5)**

In accordance with the provisions of the *Planning Act*, Vice Chair Farr 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 Amendments 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.

### **Added Written Comments**

6.4 (a) Marco Marchionda

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

### **Registered Speaker**

**1. Amber Lindsay, UrbanSolutions Planning & Land Development Consultants Inc., respecting 40 Parkside Avenue, Dundas**

Matt Johnston of UrbanSolutions Planning & Land Development Consultants Inc. addressed Committee with the aid of a PowerPoint presentation respecting his clients who are building a home at 40 Parkside Avenue, Dundas. He requested an amendment which affects Item 6.4 (the Urban Hamilton Official Plan) and Item 6.5 the zoning by-law.

The delegations were received.

The public meeting was closed.

The Urban Hamilton Official Plan and Zoning By-law 3581-86 (Items 6.4 and 6.5) were amended for the lands located at 40 Parkside Avenue as follows:

- (a) The mapping of the draft Urban Hamilton Official Plan Amendment (UHOPA), attached as Appendix "A" to Report PED18148, was amended to reduce the Natural Heritage Feature, for lands located at 40 Parkside Avenue Dundas;
- (b) The Draft By-law, attached as Appendix "B-1" to Report PED18147 was amended to further refine the mapping to reflect the Natural Heritage Feature.

The recommendations of Item 6.4 were further amended by adding the following subsection (e):

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

For disposition of this matter refer to Item 11

The recommendations of Item 6.5 were further 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 12

- (vi) **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) (TABLED May 1, 2018) (Item 6.6)**

This Item was TABLED under Changes to the Agenda.

- (vii) **Applications for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster (PED18118) (Ward 14) (Deferred June 5, 2018) (Item 6.7)**

In accordance with the provisions of the *Planning Act*, Vice Chair Farr 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**

6.7(a) Larry Jones

6.7(b) Hermann and Christa Koeppel, referred from Council June 27, 2018

- 6.7(c) Karl and Isolde Koeppe, referred from Council June 27, 2018
- 6.7(d) Susan Creer, referred from the June 27, 2018 Council agenda
- 6.7(e) Signe Leisk, Cassels Brock & Blackwell LLP, on behalf of their client, The Green Organic Dutchman.

The written comments, Items 6.7(a) to 6.7(e) were received.

The staff presentation was waived.

The following motion LOST on a tie vote:

That Committee hear from the public prior to hearing from the applicant's agents.

John Ariens of IBI Group, the applicant's agent and Mary-Lynne Howell, an employee of the applicant addressed Committee with the aid of a PowerPoint presentation. Mary-Lynne Howell read from correspondence received from the Hamilton-Wentworth Federation of Agriculture. Copies were distributed.

The agents' presentation was received.

### **Registered Speakers**

**1. Scott Herring, 1911 Jerseyville Road**

Scott Herring addressed Committee indicating that he and his family live across the road and he expressed his concerns with the affects this proposal may have on his property and quality of life.

**2. Joanne Turnell, 176 Taylor Road, Ancaster**

Joanne Turnell, addressed Committee and spoke about the cannabis plant as food and spoke in support of the applicant.

**3. Larry Jones, 2625 Jerseyville Road**

Larry Jones addressed Committee and expressed concerns with the size and scope of this facility.

**4. Agnes Menyhart, 2026 Jerseyville Road West**

Agnes Menyhart advised Committee that she lives across from the operation and indicated that the applicant was very approachable.

**5. John Plas, 2254 Jerseyville Road West**

John Plas addressed Committee and expressed concerns with the proposal.

**6. Kim VanSicke, 1140 Butter Road, Ancaster**

Kim VanSickle addressed Committee and expressed her concerns with marihuana grow operations.

The delegations were received.

The public meeting was closed.

**CARRIED**

The following conditions were added to the zoning by-law:

1. close any access to the property from Alberton Road, except for emergency services, and
2. construct a landscaping buffer along Alberton Road.

The following Section 4 was added to the zoning by-law:

4. That Schedule D – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

Notwithstanding Section 12.1 of this By-law, within the lands zoned Agriculture (A1, 689) Zone, on Maps RU131 and RU143, of Schedule “A” – Zoning Maps, and described as 1915, 1995 and 1997 Jerseyville Road West, the H Symbol applicable to the lands referred to in Section 1 of this By-law shall prohibit development of the lands and shall be removed conditional upon:

- (i) Prior to issuance of a Change of Use Permit to allow the use Medical Marihuana Growing and Harvesting within the greenhouse, the proponent shall:
  1. hold a community open house to explain the existing and proposed development;
  2. prepare and implement a Good Neighbours Strategy to the satisfaction of the Director of Planning and Chief Planner;

3. prepare and submit a Safety Strategy for the operation of the site, in consultation with Hamilton Police Services;
4. prepare and submit a construction management plan which will assess the existing road conditions to the satisfaction of the Director of Corridor Management and pay for any damage to the road as deemed necessary by the City as a result of the construction on the site;
5. prepare and submit an odour management strategy to the satisfaction of the Director of Planning and Chief Planner;

Councillors B. Johnson and Collins indicated that they wished to be recorded as OPPOSED to this motion.

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

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

The main motion, as amended, CARRIED on the following standing recorded vote:

Yeas:	Conley, Pearson, Pasuta, Partridge, Green
Total:	5
Nays:	B. Johnson, Farr, Collins
Total:	3
Absent:	A. Johnson
Total:	1

For disposition of this matter refer to Item 13

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

- (i) To Change the Name of Highland Road to Highland Road West Within the Former City of Hamilton (PED18159) (Ward 6) (Item 8.1)**

No members of the public spoke to this issue.

For disposition of this matter refer to Item 14

- (ii) **Burlesque Entertainment – Amend Business Licensing By-law 07-170 (Schedule 1 Adult Entertainment) (PED18151) (City Wide) (Outstanding Business List Item) (Item 8.2)**

**Registered Speaker**

**1. Cadence Machry**

Cadence Machry addressed Committee and spoke in support of the proposed by-law changes and thanked Municipal Law Enforcement staff.

Thee delegation was received.

For disposition of this matter refer to Item 15.

- (iii) **By-law to Prohibit Driving School Instruction in Restricted Areas (PED17179(a)) (Ward 5) (Outstanding Business List Item) (Item 8.3)**

- (a) Staff were directed to report back after one year's time regarding the effectiveness of the by-law;
- (b) Staff are to report back on whether the problem has moved to another area.

For disposition of this matter refer to Item 16.

- (iv) **Cigarette Butt Litter Enforcement (PED18154) (City Wide) (Outstanding Business List Item) (Item 8.4)**

Vice Chair Farr relinquished the Chair to Councillor B. Johnson to move the following motion:

- (a) Staff were directed to report back regarding the feasibility of utilizing 10 to 20 % of existing staff time respecting cigarette litter enforcement;
- (b) Any cost (cost recovery) elements are to be included in the report;
- (c) The report is also to include the statistical accounts of the enforcement success from the two Heath Department officials who enforced cigarette smoking on parks and recreational grounds.

Vice Chair Farr assumed the Chair.

For further disposition of this matter refer to Item 17.

**(g) MOTIONS (Item 9)**

- (i) To Waive the Road Widening Requirement for 71 Rebecca Street (Item 9.1)**

Councillor Farr requested that the motion To Waive the Road Widening Requirement for 71 Rebecca Street remain TABLED.

- (ii) To Designate 679 Main Street East and 85 Holton Avenue South, Hamilton (St. Giles United Church) under Part IV of the *Ontario Heritage Act* (Referred from Council June 27, 2018) (9.2)**

**Added Written Comments**

9.2(a) Daniel Peace, referred from the June 27, 2018 Council agenda

9.2(b) Marie Sharp, referred from the June 27, 2018 Council agenda.

The written comments Items 9.2(a) and 9.2(b) were received.

Chelsea Tyers, Cultural Heritage Planner, provided a verbal overview of the reasons for the staff's recommendations to designate St. Giles United Church.

**Delegations**

- 1. Reverend Ian Sloan, New Vision United Church (Added 4.2)**

Reverend Sloan addressed Committee and spoke against designation of the Church at 85 Holton Avenue South which is too expensive to maintain for the owner, the New Vision United Church.

The delegation was received.

- 2. Daniel Peace, Chair of the Board of Trustees of New Vision United Church (Added 4.3)**

Daniel Peace addressed Committee and provided a history of St. Giles and he indicated that the values to focus on helping people are still in practice today. He spoke against designation.

The delegation was received.

**3. Dixon Challoner (Added 4.4)**

Dixon Challoner addressed Committee with the aid of photographic images and a video and explained why St. Giles should not be designated under Part IV of the *Ontario Heritage Act*.

The delegation was received.

**4 Victor Mejia, Church of Christ (Added 4.5)**

Victor Mejia addressed Committee and indicated that his congregation is in the market for churches with available parking. He noted that although St. Giles is beautiful and has a lot of history, it would be very expensive to repair.

The delegation was received.

For disposition of this matter refer to Item 19.

**(iii) Interim Plans for Pier 7**

Staff, in consultation with the Ward Councillor, are to report back with suggestions on using Pier 7 as a "people place" in the interim period prior to the lands being sold.

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

**(i) Commemorative Designation of the 400 Block of Wentworth Street North (Added Item 10.1)**

This Notice of Motion was withdrawn under changes to the agenda.

Councillor Collins introduced the following Notice of Motion on behalf of Councillor Ferguson who is not on the Committee:

**(ii) Ancaster High School, 374 Jerseyville Road West, Ancaster, to be considered for Heritage Designation (Added 10.2)**

**WHEREAS** the Chair of the Hamilton Wentworth District School Board (HWDSB) advised Council on June 20<sup>th</sup> that their intent was to sever 11 acres of land from the campus of Ancaster High School at 374 Jerseyville Road West;

**WHEREAS** the HWDSB has advised the City that they could purchase the 11 acres of land from the Board to keep it in public use for a price of

“highest and best use” which means residential development or one to one and a half million dollars per acre or 11 to 13 million dollars;

**WHEREAS** in the June 28<sup>th</sup> Ancaster News story, the Board Chair states that “There is no threat to the use of this property”, the same article quotes the local trustee as saying their desire is to get the property in the hands of the City and this means at highest and best use or residential development price, not the cost of parkland;

**WHEREAS** the City currently has an infrastructure deficit of \$3.5 billion dollars and therefore unlikely to afford to purchase the 11 acres at highest and best use prices or 11 to 13 million dollars;

**WHEREAS** the taxpayers of Ancaster have already paid for the site once;

**WHEREAS** the Town of Oakville recently put a heritage designation on Glen Abby Golf Club as it formed an integral part of the Town’s Culture and Heritage;

**WHEREAS** in the 1950’s the Ancaster High School Board, in conjunction with the Town of Ancaster, decided to jointly purchase the existing High School Campus with the novel idea that the school would use the site during the day and community would use the site in the evening and on weekends; and

**WHEREAS** the Ancaster High School with some 40 acres, form an integral part of the community for the past 60 years and the Town has invested in a pool at this site with the similar novel idea that the school would use it during the day and the community could use the pool in the evenings and on weekends;

**THEREFORE, BE IT RESOLVED:**

That staff be directed to start the process of designating the campus of Ancaster High School site as a site of historical significance and report back to the Heritage Committee on providing the property with a Heritage designation.

**(iii) The Round-About at Maggie Johnson and Tanglewood, Binbrook Village (Added Item 10.3)**

Councillor B. Johnson introduced a Notice of Motion respecting The Round-About at Maggie Johnson and Tanglewood, Binbrook Village.

The rules of order were waived to allow for the introduction of a motion respecting The Round-About at Maggie Johnson and Tanglewood, Binbrook Village.

For disposition of this matter refer to Item 20.

**(iv) Interim Plans for Pier 7 (Added Item 10.4)**

Councillor Collins introduced a Notice of Motion respecting Interim Plans for Pier 7.

The rules of order were waived to allow for the introduction of a motion respecting Interim Plans for Pier 7.

For disposition of this matter refer to Information Item (g)(iii).

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

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

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

Item "D" - Request to Designate 437 Wilson Street East (Ancaster)  
Under Part IV of the Ontario Heritage Act (PED12166)

Due date: July 10, 2018

New due date: September 18, 2018

Item "E" - Staff to consult with property owners & Councillor 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: July 10, 2018

New due date: January 15, 2019

Item "J" That staff monitor the operations of the Personal  
Transportation Providers (Schedule 24 of the Licensing By-law 17-  
170) licensing category over the next year to determine if any  
adjustments are required and report back to Committee.

Due date: July 10, 2018

New due date: August 14, 2018

**(b) That the following Items were identified as completed and removed:**

Item "H" - Staff to report back on the feasibility of amending the  
Licensing By-law including comparators across the country, to  
clearly define adult services in relation to the distinction between  
strip clubs and other performances, including but not limited to  
burlesque.

(Item 8.2 on this agenda.)

Item "L" - That staff report back with legislative options and alternatives to the regulation of driving schools in Hamilton that seeks to address the practice areas utilized by driving schools and individual driving instructors, and that the information contained in the report include, but not be limited to, legislation adopted by neighbouring municipalities who have adopted driving school rules and regulations  
(Item 8.4 on this agenda)

Item "BB" - That staff be directed to investigate the feasibility, costs and other considerations (i.e. besides educational program) of targeted enforcement measures to address cigarette butt litter and report back to the Planning Committee.  
(Item 8.5 on this agenda.)

Item "EE" - That Report PED18118 be deferred until after the June public meeting on marihuana growing facilities  
(Item 6.7 on this agenda)

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

**12.1 Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application, Town of Flamborough Zoning By-law No. 90-145-Z Amendment Application and Draft Plan of Subdivision for Lands Located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129-137 Truedell Circle (Flamborough) (LS18007/PED18051) (Ward 15) (Distributed under separate cover.)**

Committee approved Item 12.1 without moving into Closed Session.

For disposition of this matter refer to Item 21

**(k) ADJOURNMENT (Item 13)**

There being no further business, the Planning Committee was adjourned at 6:07 p.m.

Respectfully submitted,

Councillor J. Farr  
Vice Chair, Planning Committee

Ida Bedioui  
Legislative Co-ordinator  
Office of the City Clerk

**Authority:** Item ,  
Report (PED18XXX)  
CM:  
Ward: 4

**Bill No.**

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

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue  
South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes  
Avenue, Hamilton**

**WHEREAS** Council approved Item of Report PED18- of the Planning Committee at its meeting held on the 10<sup>th</sup> day of July 2018;

**AND WHEREAS** this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Map No. 1092 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200, is amended by changing the zoning from the Community Institutional (I2) Zone to the Downtown Multiple Residential (D6, 696) and (D6, 696, H70) Zone, and adding lands to Zoning By-law 05-200 as Downtown Multiple Residential (D6, 696) and (D6, 696, H70) Zone, and Conservation/Hazard Land (P5) Zone for the applicable lands, the extent and boundaries of which are shown as in Schedule "A" annexed as hereto and forming of this By-law.
2. That Schedule "C": Special Exceptions of Zoning By-law No. 05-200, is hereby amended by adding an additional special exception as follows:

"696 Within the lands zoned Downtown Multiple Residential (D6, 696) Zone, identified on Map No. 1092 of Schedule "A" – Zoning Maps and described as 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, the following special provisions shall apply:

- a) Notwithstanding Section 3: Definitions and only for the purposes of Special Exception 696 the following definitions shall apply:

- i) Block Townhouse Dwelling Shall mean a building divided vertically by a common or party wall, into a minimum of three and a maximum of eight Dwelling Units fronting on a laneway or common

To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)

condominium driveway, each of which having an independent entrance at grade, but shall not include a maisonette.

ii) Maisonette Dwelling

Shall mean a building used exclusively for residential purposes divided vertically into a minimum of four and a maximum of 16 back-to-back Dwelling Units, by two or more common walls which prevent internal access between units and extend from the base of the foundation to the roof line, and each Dwelling Unit having an independent entrance at grade.

iii) Stacked Townhouse Dwelling

Shall mean a building divided vertically and horizontally into a minimum of three and a maximum of 24 Dwelling Units, by common walls which prevent internal access between units, with each Dwelling Unit having one or more private entrances at grade.

b) Notwithstanding Section 4.3 b), 4.6 d) and e) 4.23 d) and in addition to Section 4.21 c) of this By-law the following shall apply:

A) Section 4.3 b) shall not apply to **Blocks "2", "4", "4a", "5", "7", and "7a"** for a standard condominium.

B) Permitted Yard Encroachments

1. A porch, deck or canopy including any associated stairs may encroach into any required yard to a maximum of 1.8 metres.

2. A balcony may encroach into any required yard to a maximum of 1.8 metres, except for a required side yard of not more than one

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

third of its width or 1.8 metres,  
whichever is lesser.

- C) Home Business                      Block Townhouse Dwellings, Maisonette Dwellings and Stacked Townhouse Dwellings shall be permitted to have a Home Business in accordance with Section 4.21 c) i) – iii).
- D) Setback to a Conservation/Hazard Land (P5) Zone                      All buildings or structures located on a property shall be setback a minimum of 5.0 metres.
- c) Notwithstanding Section 5.1 a) v) c) and 5.6 a) of this By-law the following special provisions shall apply:
- A) Restriction of Architectural Wall or Feature within a Required Planting Strip                      Where a planting strip is provided, as per Section 5.1 a) v) c), any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 2.0 metres.
- B) Parking Requirements                      Parking spaces shall be provided in the minimum quantity specified below:
- Block Townhouse Dwelling                      1 for each dwelling unit. No additional parking shall be required for an Accessory Dwelling Unit.
- Maisonette Dwelling
- Stacked Townhouse Dwelling
- Multiple Dwelling
- i) Dwelling units less than 50.0 square metres in gross floor area                      0.3 per unit;
- ii) Dwelling units greater than 50.0 square metres in gross floor area                      1. 0.80 for each dwelling unit;

To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)

- 2. Notwithstanding B) ii) 1. above, 0.45 for each dwelling unit in a multiple dwelling in **Block "7"** as shown on Figure 20 of Schedule "F" – Special Figures.
  - iii) Units with 3 or more bedrooms 0.3 per unit.
- d) For the purposes of Special Exception No. 696 a maximum of 840 dwelling units shall be permitted.
- e) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "1" and "3"** as shown on Figure 20 of Schedule "F" – Special Figures:
  - i) Notwithstanding Section 6.6.1 the permitted uses shall be restricted to Street Townhouse Dwelling Units.
  - ii) In addition to i) above, an accessory dwelling unit shall only be permitted within an end unit.
  - iii) Notwithstanding Section 6.6.2.2 the following special provisions shall apply:
    - A) Minimum Lot Area 120.0 square metres for each dwelling unit.
    - B) Minimum Unit Width 4.8 metres for each dwelling unit.
    - C) Minimum Front Yard
      - 1. 4.5 metres for the dwelling; and,
      - 2. 6.0 metres for the garage.
    - D) Minimum Side Yard
      - 1. Minimum 1.2 metres except for the side yard related to the common wall of the dwelling unit, which shall have a minimum 0 metre side yard;
      - 2. 1.5 metres to a flankage

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

yard.

- E) Minimum Rear Yard 7.0 metres;
  - F) Building Height
    - 1. Minimum 9.0 metres; and,
    - 2. Maximum 12.0 metres.
  - G) Maximum Number of Street Townhouse Dwelling Units in a Row 8;
- f) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "2"** as shown on Figure 20 of Schedule "F" – Special Figures:
- i) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Block Townhouse Dwelling Units.
  - ii) In addition to i) above, an accessory unit shall only be permitted within an end unit.
  - iii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the lot line abutting Ayr Avenue shall be deemed the front lot line.
  - iv) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following special provisions shall apply to Block Townhouse Dwellings:
    - A) Minimum Lot Width 12.0 metres;
    - B) Minimum Front Yard 1.5 metres;
    - C) Maximum Flankage Yard 3.0 metres;
    - D) Minimum Side Yard 6.0 metres;
    - E) Minimum Rear Yard 1.5 metres;
    - F) Building Height
      - 1. Minimum 9.0 metres; and,
      - 2. Maximum 12.0 metres.

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

- G) Required Parking Space Location
    - 1. The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 metres from the condominium road.
  
  - H) Minimum Setback to a Condo Road
    - 1. 4.5 metres to the dwelling.
  
  - I) Minimum Distance between End Walls
    - 2.4 metres;
  
  - J) Visitor Parking Spaces
    - 1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit for each unit fronting on a condominium road.
  
    - 2. Notwithstanding J) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.
  
    - 3. In addition to J) 1. above, visitor parking spaces shall be provided on **Blocks "4" and "4a"** as shown on Figure 20 of Schedule "F" – Special Figures.
- g) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "4" and "4a"** as shown on Figure 20 of Schedule "F" – Special Figures:
- i) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the westerly lot line abutting Reid Avenue South shall be deemed the front lot line.
  
  - ii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted on **Block "4"** as shown on Figure 20 of Schedule "F" – Special Figures:

Stacked Townhouse Dwellings; and,

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

Maisonette Dwellings.

- iii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted on **Block "4a"** as shown on Figure 20 of Schedule "F" – Special Figures:

Block Townhouse Dwellings;  
Stacked Townhouse Dwellings; and,  
Maisonette Dwellings.

- iv) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit of a Block Townhouse Dwelling.
- v) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following provisions shall apply to **Block "4" and "4a"** as shown on Figure 20 of Schedule "F" – Special Figures:

- A) Minimum Lot Width 12.0 metres;
- B) Minimum Front Yard 3.0 metres;
- C) Minimum Rear Yard 2.0 metres;
- D) Minimum Side Yard
1. 10.0 metres from northerly lot line; and,
  2. 4.5 metres from the southerly lot line.
- E) Minimum Setback to a Condominium Road 4.5 metres;
- F) Minimum Distance between End Walls 2.4 metres;
- G) Visitor Parking Spaces
1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit for each unit fronting on a condominium road.
  2. Notwithstanding G) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

2. Visitor parking spaces required in G) 1. above shall be provided in addition to visitor parking spaces required for **Block "2"** as shown on Figure 20 of Schedule "F" – Special Figures.
- H) Minimum Landscaped Area 10 percent of the lot area.
- I) Minimum Planting Strip Requirement
1. 3.0 metres along a front lot line; and,
  2. 2.0 metres along a rear lot line.
  3. In addition to Sections I) 1. and 2. above, an Architectural Wall or Feature shall be provided within the required planting strip adjacent to visitor parking abutting the Reid Avenue South street line on **Block "4a"** as shown on Figure 20 of Schedule "F" – Special Figures.
- vi) In addition to v) above, the following special provisions shall apply to Block Townhouse Dwellings:
- A) Building Height
1. Minimum 9.0 metres; and,
  2. Maximum 12.0 metres.
- B) Maximum Number of Dwelling Units 18;
- C) Minimum Amenity Area 25.0 square metres per unit.
- D) Required Parking Required parking spaces for



**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

- ii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted:  
  
Block Townhouse Dwellings;  
Maisonette Dwellings; and,  
Stacked Townhouse Dwellings.
- iii) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit of a Block Townhouse Dwelling.
- iv) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following provisions shall apply to **Block "5"** as shown on Figure 20 of Schedule "F" – Special Figures:
  - A) Minimum Front Yard 2.0 metres;
  - B) Minimum Flankage Yard 3.0 metres;
  - C) Minimum Side Yard
    - 1. 3.0 metres;
    - 2. Notwithstanding Section C) 1. above, 1.0 metres to Areas "1", "2", and "3" as shown on Figure 20 of Schedule "F" – Special Figures.
    - 3. Notwithstanding Sections C) 1. and 2. above, 6.0 metres shall be required where the side lot line abuts the Red Hill Valley Expressway.
  - D) Minimum Rear Yard 6.0 metres;
  - E) Minimum Setback to a Condominium Road 4.5 metres to the front of the dwelling unit;
  - F) Minimum Distance between End Walls 2.4 metres;
  - G) Minimum Landscaped Area 20 percent of the lot area.

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

- H) Minimum Planting Strip
  - 1. 2.0 metres to a front lot line; and,
  - 2. 3.0 metres to a flankage lot line.
- I) Visitor Parking Spaces
  - 1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit.
  - 2. Notwithstanding I) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.
  - 3. Notwithstanding Section I) 1. above, no Visitor Parking shall be required for a Block Townhouse Dwelling unit or a Maisonette Dwelling Unit that fronts onto a street.
- v) In addition to iv) above, the following special provisions shall apply to Block Townhouse Dwellings:
  - A) Building Height
    - 1. Minimum 9.0 metres; and
    - 2. Maximum 12.0 metres.
  - B) Maximum Number of Dwelling Units 18;
  - D) Minimum Amenity Area 25.0 square metres per unit;
  - C) Required Parking Space Location Required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road.
- vi) In addition to iv) above, the following special provisions shall apply to Maisonette Dwellings and Stacked Townhouse Dwellings:
  - A) Building Height
    - 1. Minimum 9.0 metres; and,

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

- 2. Maximum 15.0 metres;
  - B) Minimum Private Amenity Area
    - 1. 3.0 square metres per dwelling unit; and,
    - 2. Private Amenity Area shall be designed for the exclusive use of the dwelling unit.
  - C) Required Parking Space Location
    - 1. The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road.
    - 2. Notwithstanding Section 1. above, visitor parking spaces shall not be subject to the minimum distance requirement.
- i) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "6"** as shown on Figure 20 of Schedule "F" – Special Figures:
  - i) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Block Townhouse Dwelling Units.
  - ii) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit.
  - iii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the lot line abutting Hayes Avenue shall be deemed the front lot line.
  - iv) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following special provisions shall apply to Block Townhouse Dwellings:
    - A) Minimum Lot Width 12.0 metres;
    - B) Minimum Front Yard 3.0 metres;

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

- C) Minimum Side Yard 6.0 metres;
  - D) Minimum Rear Yard 5.0 metres;
  - E) Building Height
    - 1. Minimum 9.0 metres; and,
    - 2. Maximum 12.0 metres.
  - F) Required Parking Space Location The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 metres from the condominium road.
  - G) Minimum Setback to a Condominium Road 4.5 metres;
  - H) Minimum Distance between End Walls 2.4 metres;
  - I) Visitor Parking Spaces
    - 1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit.
    - 2. Notwithstanding I) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.
- j) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "7" and "7a"** as shown on Figure 20 of Schedule "F" – Special Figures:
- i) **Blocks "7" and "7a"** as shown on Figure 20 of Schedule "F" – Special Figures, shall be considered as one lot for the purposes of implementing regulations j) iv) A) – K) below.
  - ii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, Reid Avenue South shall be deemed the front lot line.
  - iii) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Multiple Dwellings.

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

- iv) Notwithstanding Section 6.6.2 of this By-law, the following provisions shall apply to **Block "7"** and **Block "7a"** as shown on Figure 20 of Schedule "F" – Special Figures:
- A) Minimum Lot Width 12.0 metres;
  - B) Minimum Front Yard
    - 1. 8.0 metres;
    - 2. Notwithstanding 1. above, 3.0 metres shall be permitted for a length not exceeding 20.0 metres.
  - C) Minimum Flankage Yard 3.0 metres;
  - D) Minimum Side Yard 3.0 metres;
  - E) Minimum Rear Yard 3.0 metres;
  - F) Maximum Building Height
    - 1. 29.0 metres;
    - 2. Notwithstanding 1. above, 38.0 metres shall be permitted in **Block "7a"** as shown on Figure 20 of Schedule "F" – Special Figures.
  - G) Visitor Parking Spaces Parking for visitors shall be provided on the basis of 0.25 per dwelling unit.
  - H) Minimum Amenity Area
    - 1. 3.0 square metres per dwelling unit located on **Block "7"** as shown on Figure 20 of Schedule "F" – Special Figures; and,
    - 2. 5.0 square metres per dwelling unit located on **Block "7a"** as shown on Figure 20 of Schedule "F" – Special Figures.

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

- I) Minimum Landscaped Area 10 percent of the lot area.
  - J) Minimum Planting Strip Abutting a Street 3.0 metres;
  - K) Minimum Bicycle Parking Requirements
    - 1. 5 Short Term Bicycle Parking Spaces shall be provided per multiple dwelling; and,
    - 2. 0.5 Long Term Bicycle Parking spaces shall be provided per unit.
3. That Map 1092 on Schedule "A" – Zoning Maps of By-law No. 05-200, be amended the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to this By-law by: ,
- a) Change in zoning from the Community Institutional (I2) Zone to the Downtown Multiple Residential (D6, 696, H70) and (D6, 696) Zone;
  - b) Lands to be added to Zoning By-law 05-200 as Downtown Multiple Residential (D6, 696) Zone; and,
  - c) Lands to be added to Zoning By-law 05-200 as Conservation / Hazard Lands (P5) Zone.
4. That Schedule "D" – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:
- "70. Notwithstanding Section 6.6 of this By-law, within lands zoned Downtown Multiple Residential (D6,696) Zone on Map 1092 on Schedule "A" – Zoning Maps, and described as 20 Reid Avenue North (Hamilton), and further shown as **Blocks "1", "2", and "3"** on Figure 20, Schedule "F" – Special Figures, no development shall be permitted until such time as:
- (i) a signed Record of Site Condition (RSC) has been submitted to the City of Hamilton and the Ministry of the Environment and Climate Change (MOECC). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECC, and submission of the City of Hamilton's current RSC administration fee.

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**

5. That Schedule "F" – Special Figures, of By-law 05-200, be amended by adding Figure 20, hereto annexed as Schedule "B" to this By-law.
6. 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*.
7. That this By-law No. \_\_\_\_\_ shall come into force and be deemed to have come into force in accordance with Subsection 34(21) of the *Planning Act*., either upon the date of passage of this By-law or as provided by the said Subsection.

**PASSED** this \_\_\_\_\_ , \_\_\_\_\_

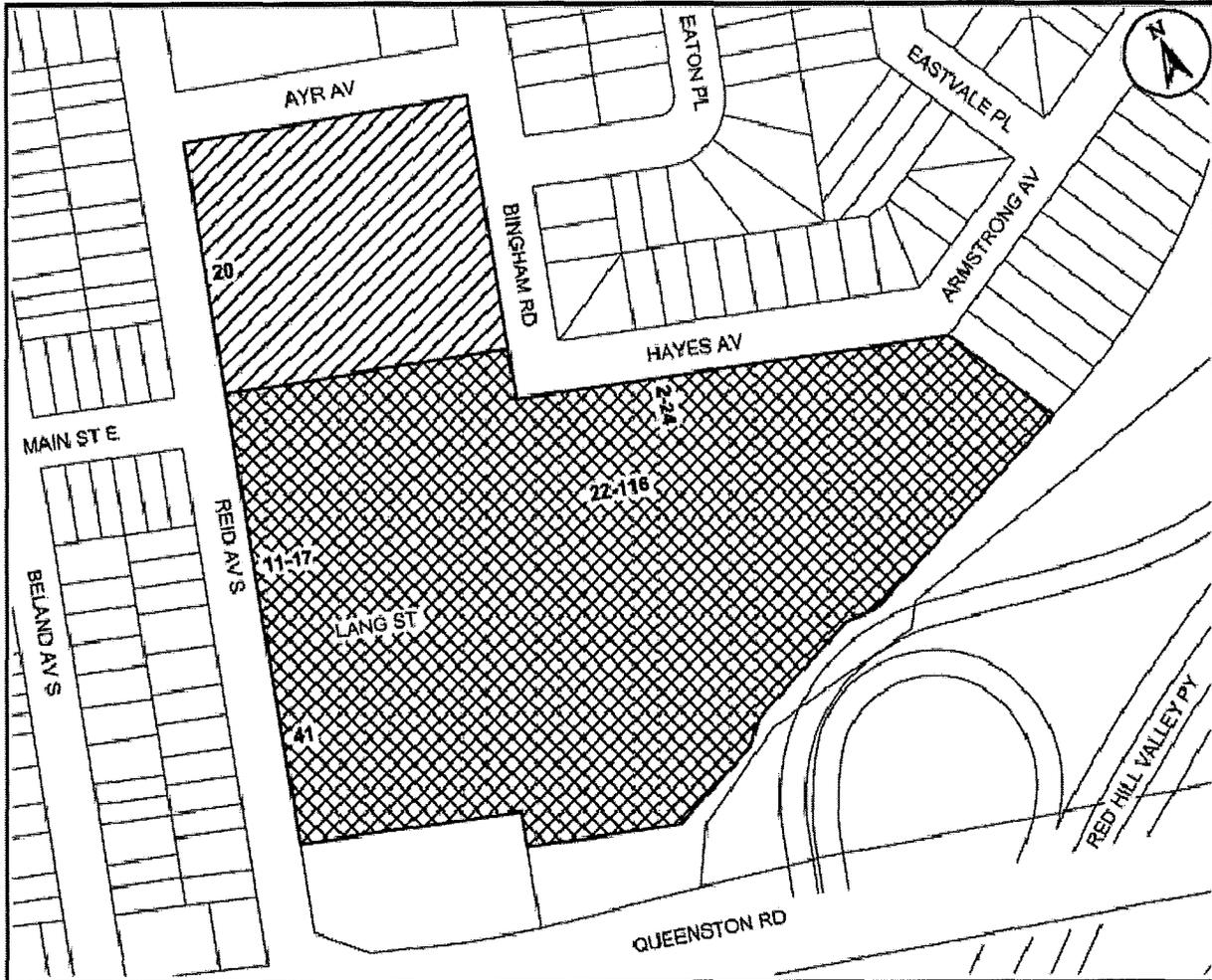
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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**To Amend Zoning By-law No. 05-200  
 Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang  
 Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)**



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> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 18-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Maps 1092 &amp; 1141</p>	<p><b>Subject Property</b>                  20 Reid Avenue North, 11-17 &amp; 41 Reid Avenue South,                  22-116 Lang Street &amp; 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22                  and 24 Hayes Avenue, Hamilton (Ward 4)</p> <p> <b>Block 1</b> - Lands zoned to                  Downtown Multiple Residential (D6, 696, H70)                  Zone, Modified for Street Townhouse Dwellings</p> <p> <b>Block 2</b> - Lands zoned to                  Downtown Multiple Residential (D6, 696) Zone,                  Modified for Block Townhouses Dwellings</p>
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To Amend Zoning By-law No. 05-200  
 Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)



Figure 20 to Schedule F - Special Figures

Date:  
 June 22, 2018

Legend

- |   |  |  |  |
|---|--|--|--|
|  Block 1 |  Block 4  |  Block 6  |  Block 8  |
|  Block 2 |  Block 4a |  Block 7  |  Area "1" |
|  Block 3 |  Block 5  |  Block 7a |  Area "2" |
|   |  |  |  Area "3" |



Recommended Conditions of Draft Plan of  
Subdivision Approval 25T-201802 (revised)

- i) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans.
  - ii) Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
1. Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (Lock Box Assembly) at their own expense (less than 100 units will require a front loading Lock Box Assembly & more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in affect for buildings and complexes with a common lobby, common indoor or sheltered space.

Union Gas

2. That the owner / developer provide to Union Gas the necessary easements and / or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Union.

Director of Growth Planning

3. That **prior to registration**, the Director of Planning and Chief Planner must be satisfied that Conditions (1) to (46) inclusive, have been carried out to his satisfaction, with a brief but complete statement indicating how each condition has been satisfied.

NOTES FOR SUBDIVISION:

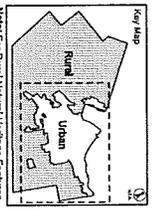
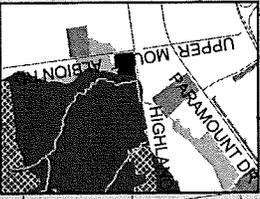
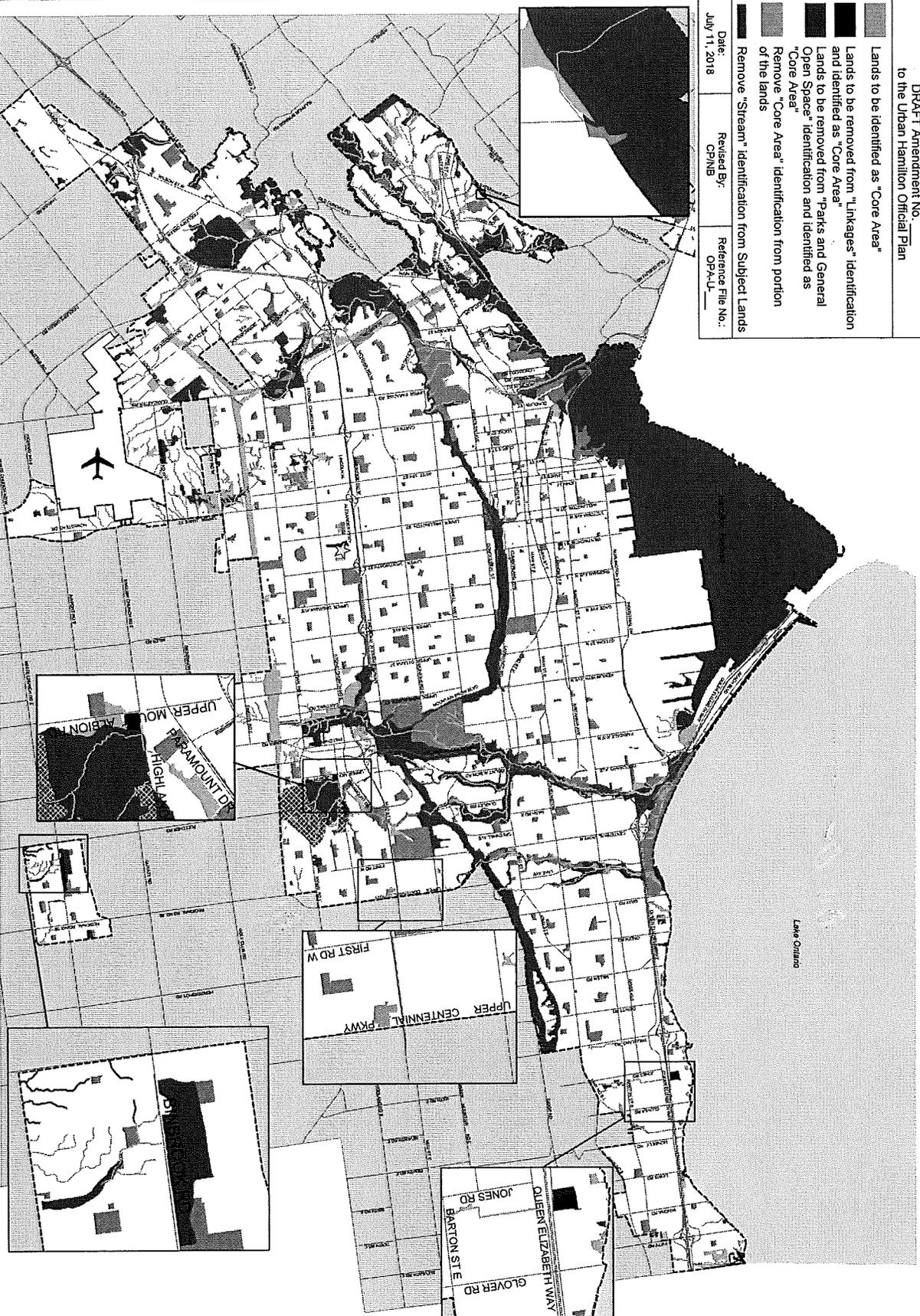
1. Pursuant to Section 51(32) of the Planning Act, draft approval shall lapse if the plan is not given final approval within 3 years. However, extensions will be considered if a written request is received before the draft approval lapses.

Appendix "C-1" to Item 11(a)(i) of PC Report 18-011

Appendix G  
 DRAFT Amendment No. 1  
 to the Urban Hamilton Official Plan

- █ Lands to be identified as "Core Area"
- █ Lands to be removed from "Linkages" Identification and identified as "Core Area"
- █ Lands to be removed from "Parks and General Open Space" Identification and identified as "Core Area"
- █ Remove "Core Area" Identification from portion of the lands
- █ Remove "Stream" Identification from Subject Lands

Date: July 11, 2018  
 Revised By: CP/MS  
 Reference File No.: OF-P-U-



**APPEAL**

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.

**Lands Under Appeal**

305 Stone Church Road West  
 bounded by Stone Church Road East, Upper Wellington Street, Lincoln St, Alexander Parkway and Upper Wentworth Street

**Legend**

- █ Core Area
- █ Area Specific Policy - USC-1 and USC-2 in Volume 3
- █ Linkages
- █ Parks & General Open Space (excluding Parkways)
- █ Streams
- Other Features
  - █ Rural Area
  - █ John C. Munro Hamilton International Airport
  - █ Niagara Enslavement
  - █ Municipal Boundary

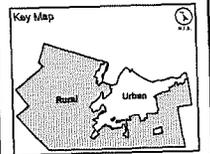
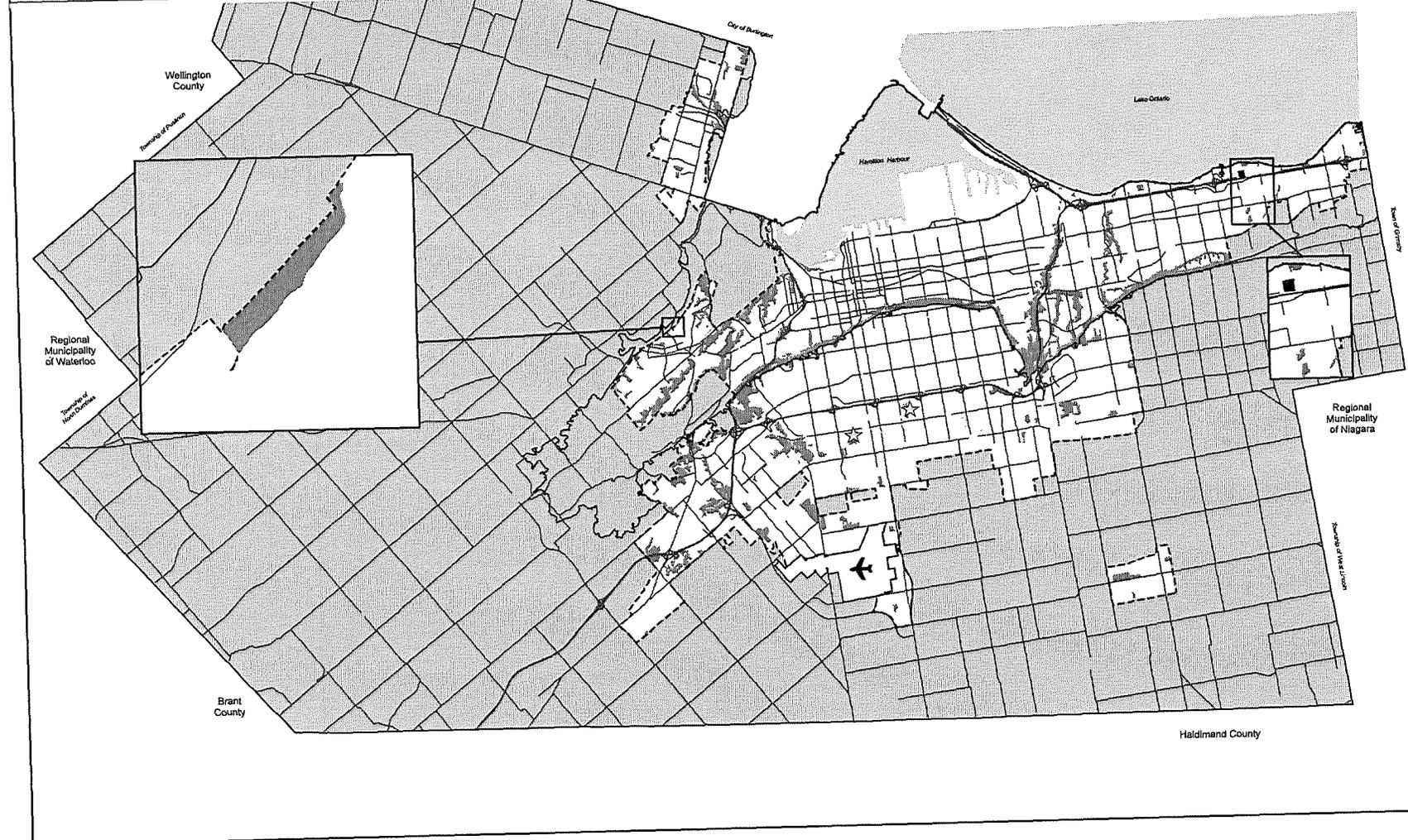
Hamilton  
 Natural Heritage System  
 Schedule B  
 Urban Hamilton Official Plan  
 Council Adoption: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

# Appendix "C-2" to Item 11(a)(i) of PC Report 18-011

Appendix H  
DRAFT Amendment No. \_\_\_\_  
to the Urban Hamilton Official Plan

 Lands to be identified as "Key Natural Heritage Feature - Significant Woodlands"

Date: July 11, 2018  
Revised By: CP/NB  
Reference File No.: OPA-U-\_\_



Note: For Rural Detailed Natural Heritage Features refer to Schedule B-2 of the Rural Hamilton Official Plan.

### APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.

### ★ Lands Under Appeal

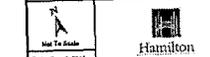
- 305 Stone Church Road W  
- 313 Stone Church Road E & lands bounded by Stone Church Road East, Upper Wellington Street, Lincoln M Alexander Parkway and Upper Wentworth Street

### Legend

-  Key Natural Heritage Feature Significant Woodlands
-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary

Council Adopted: July 9, 2009  
Ministerial Approval: March 16, 2011  
Effective Date: August 16, 2013

Urban Hamilton Official Plan  
Schedule B-2  
Detailed Natural Heritage Features  
Key Natural Heritage Feature  
Significant Woodlands



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Appendix C-3 to Item 11 (a)(i) of Report 18-011

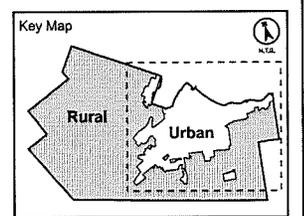
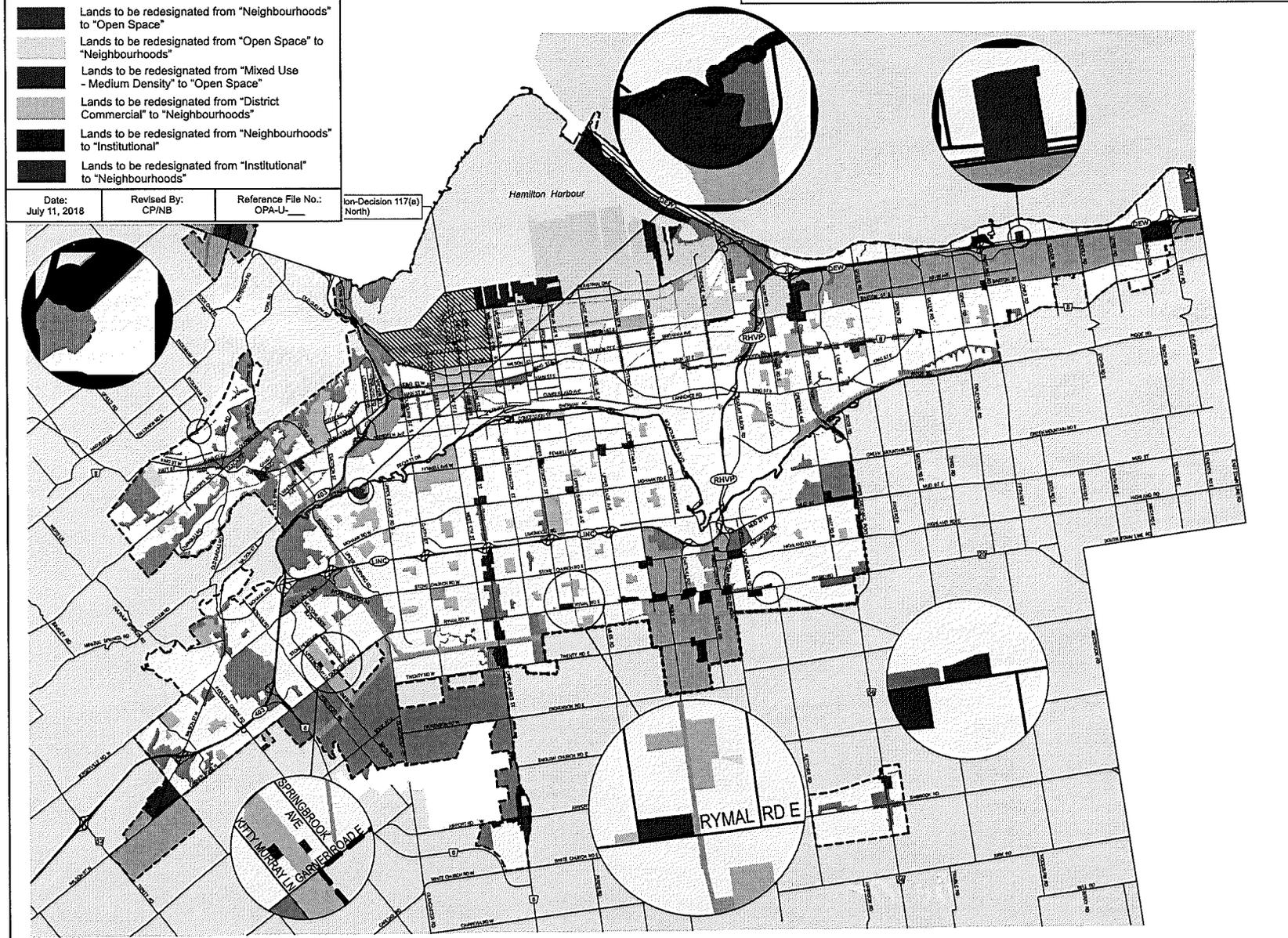
Appendix K  
DRAFT Amendment No. \_\_\_\_\_  
to the Urban Hamilton Official Plan

-  Lands to be redesignated from "Neighbourhoods" to "Open Space"
-  Lands to be redesignated from "Open Space" to "Neighbourhoods"
-  Lands to be redesignated from "Mixed Use - Medium Density" to "Open Space"
-  Lands to be redesignated from "District Commercial" to "Neighbourhoods"
-  Lands to be redesignated from "Neighbourhoods" to "Institutional"
-  Lands to be redesignated from "Institutional" to "Neighbourhoods"

Date: July 11, 2018      Revised By: CP/NB      Reference File No.: OPA-U-\_\_\_\_

Ion-Decision 117(a) (North)

**APPEALS**  
\*\*\*\*\* The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal.



Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

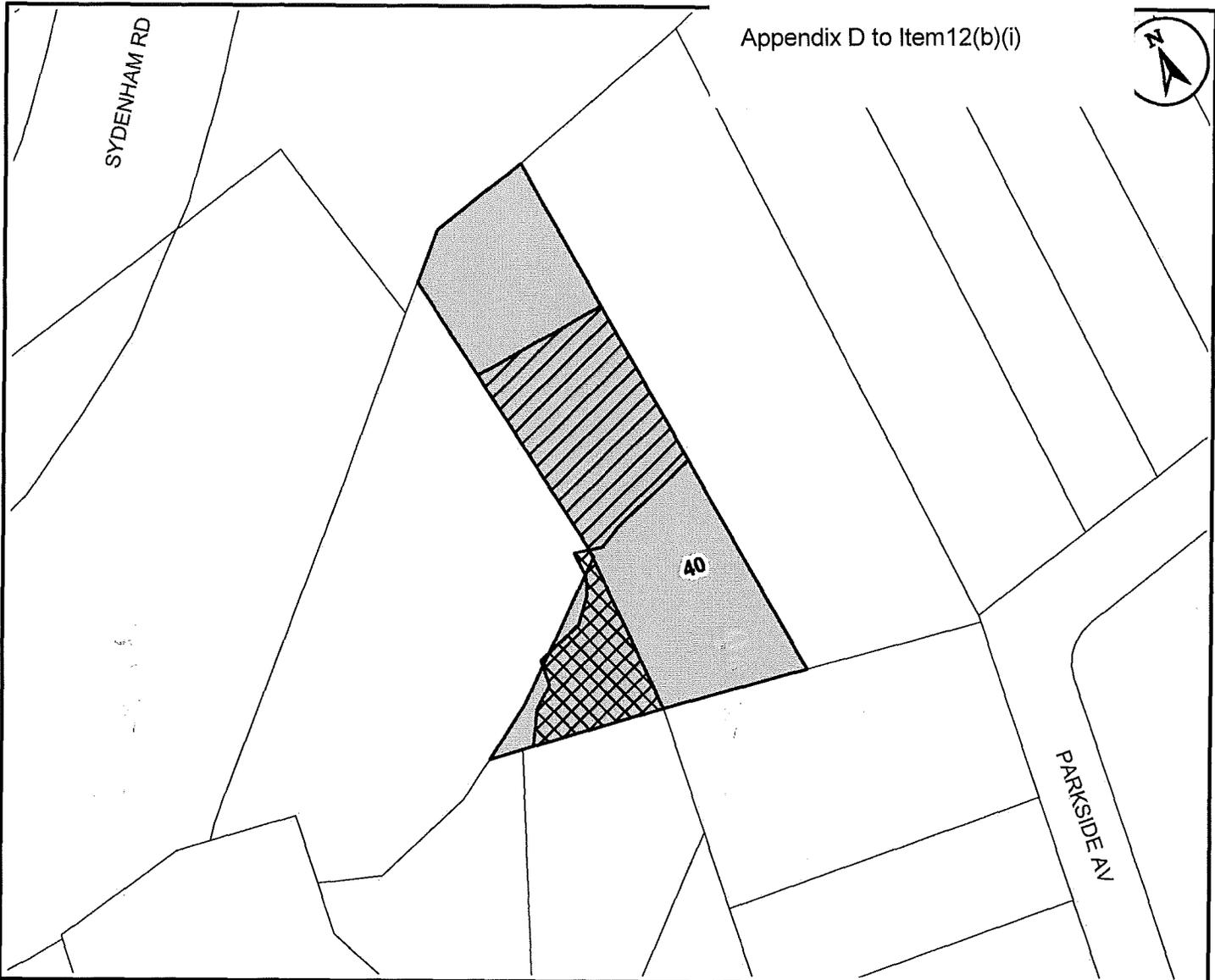
-  Neighbourhoods
-  Open Space
-  Institutional
-  Utility
- Commercial and Mixed Use Designations**
-  Downtown Mixed Use Area
-  Mixed Use - High Density
-  Mixed Use - Medium Density
-  District Commercial
-  Arterial Commercial
- Employment Area Designations**
-  Industrial Land
-  Business Park
-  Airport Employment Growth District
-  Shipping & Navigation
- Other Features**
-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary
-  Lands Subject to Non Decision 113 West Harbour Settling Sall

Council Adoption: July 9, 2009  
Ministerial Approval: March 16, 2011  
Effective Date: August 16, 2013

**Urban Hamilton Official Plan  
Schedule E-1  
Urban Land Use Designations**



Date: Feb. 27, 2018  
**PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**  
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This is Schedule "A" to By-law No. 18-

Passed the ..... day of ....., 2018

-----  
Mayor

-----  
Clerk

# Schedule "A"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 3581-86

### Subject Property



40 Parkside Avenue



Change in zoning from Single-Detached Residential "R2" Zone to Open Space - Conservation "OS" Zone



Change in zoning from Open Space - Conservation "OS" Zone to Single - Detached Residential "R2" Zone

Scale:  
N.T.S.

File Name/Number:  
40 Parkside Av

Date:  
July 11, 2018

Planner/Technician:  
MG/AL



Hamilton