



PLANNING COMMITTEE MINUTES

19-012

August 13, 2019

9:30 a.m.

**Council Chambers, Hamilton City Hall
71 Main Street West**

Present: Councillors M. Pearson (Chair), J. Farr (1st Vice Chair),
C. Collins, B. Johnson (2nd Vice Chair), B. Clark, M. Wilson,
J.P. Danko, J. Partridge, T. Whitehead

Also Present: Councillors A. VanderBeek and E. Pauls

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Hamilton Municipal Heritage Committee 19-005 (Item 7.1)

(Farr/Collins)

(i) Hamilton Municipal Heritage Committee working Groups (Item 10.1)

That the following membership list for the Hamilton Municipal Heritage Committee Working Groups be approved, as amended:

- (a) Heritage Permit Review Sub-Committee (2 members of the Hamilton Municipal Heritage Committee are required):

C. Dmitry, Chair
Tim Ritchie, Vice-Chair

- (b) Education and Communications Working Group:

Janice Brown
Robin McKee
Tim Ritchie
Alissa Denham-Robinson
Graham Carroll

(c) Inventory and Research Working Group:

Graham Carroll
Janice Brown
Chuck Dmitry
Alissa Denham-Robinson
Lyn Lusted

(d) Policy and Design Working Group

Will Rosart
Bill Janssen
Alissa Denham-Robinson
Lyn Lusted
Chuck Dimitry

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

2. Revisions to the Pre-Christmas Free Parking Program for Business Improvement Areas (BIAs) (PED19129) (Ward 7) (Item 7.2)

(Danko/Johnson)

That the annual Pre-Christmas Free Parking Program, approved by City Council on June 25, 2003, and amended from time to time, be further amended as follows:

- That on-street parking be free at all times from November 24 to December 24 annually and limited to two hours in duration for the Concession Street Business Improvement Area.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson

YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

3. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED19152) (City Wide) (Item 7.3)

(Partridge/Wilson)

That Report PED19152 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

CARRIED

4. New Fee for Privately-Initiated Official Plan Amendment - Urban Boundary Expansion Applications (PED19146(a)) (City Wide) (Item 7.4)

(Collins/Clark)

That the Tariff of Fees By-law No. 12-282 be amended to establish a new fee of **\$67,875** for an Official Plan Amendment – Urban Boundary Expansion application, to be broken into two phases (Phase 1 being \$56,204 and Phase 2 being \$11,671).

Result: Main Motion, As Amended, CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Brad Clark

5. Bill 108, More Homes, More Choice Act, 2019 - Ontario Proposed Changes to the Land Use Planning and Appeals System (PED19125(a)) (City Wide) (Item 7.5)

(Whitehead/Danko)

That Report PED19125(a) respecting Bill 108, *More Homes, More Choice Act*, 2019 - Ontario Proposed Changes to the Land Use Planning and Appeals System, be received.

CARRIED

6. **Application for Zoning By-law Amendment for Lands Located at 360 Mohawk Road West (Hamilton) (PED19149) (Ward 8) (Item 8.1)**

(Danko/Whitehead)

That Revised Zoning By-law Amendment Application ZAC-18-046, by Tuscan Hill Homes (Dominic Chiaravalle, Owner), for a change in zoning from the “C” (Urban Protected Residential, etc.) District to the “D/S-1785” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified, to permit the development of two semi detached dwellings on lands located at 360 Mohawk Road West (Hamilton), as shown on Appendix “A” to Report PED19149, be APPROVED on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED19149, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2019), and complies with the Urban Hamilton Official Plan; and,
- (c) ***That the public submissions received did not affect this matter.***

Result: Main Motion, As Amended, CARRIED by a vote of 9 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

7. **Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464, Hamilton Zoning By-law No. 05-200 and for Approval of a Draft Plan of Subdivision “Jackson Heights Extension – Phase 2” for Lands Located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive, Glanbrook (PED19121) (Ward 11) (Item 8.2)**

(Johnson/Farr)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-17-012 by Rob-Geof Properties Limited c/o Coleman Robinson (Owner), for changes in land use designation in Volume 1 Schedule E-1 - Urban Land

Use Designations from Utility to Neighbourhoods and from Neighbourhoods to District Commercial; to remove the Parks & General Open Space (Excluding Parkettes) in Volume 1 Schedule B - Natural Heritage System; for changes in designation in Volume 2 Binbrook Village Secondary Plan – Land Use Plan from Low Density Residential 2e, Low Density Residential 2h, Utility, and Parkette to Low Density Residential 2d; from Low Density Residential 2e and Low Density Residential 2h to Low Density Residential 3e; from Low Density Residential 2e and Low Density Residential 2h to District Commercial; in Volume 2 Binbrook Village Secondary Plan – Open Space Linkages to remove the Parkette and Utility identification and add a local road identification; and in Volume 2 Binbrook Village Secondary Plan – Open Space Linkages to add lands to an area specific policy area to permit a density of 41 - 85 units per hectare; and to add a site specific policy to permit maisonette dwellings as a permitted use and increase the density to 26 to 48 units per hectare, in the Binbrook Village Secondary Plan, for lands located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive Glanbrook, as shown on Appendix “B” to Report PED19121, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED19121 be enacted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow Plan (2019).
- (b) That Zoning By-law Amendment Application ZAC-17-027 by Rob-Geof Properties Limited c/o Coleman Robinson (Owner), for changes to the Township of Glanbrook Zoning By-law No. 464 from Residential “R2” Zone, Private Open Space “OS1-166” Zone, Modified Public Open Space “OS2” Zone, Restricted Agricultural “A2-176” Zone, Restricted Agricultural “A2” Zone, Deferred Development “DD” Zone and Existing Residential “ER” Zone to Residential Multiple “RM2-313” Zone; from Restricted Agricultural “A2-176” Zone and Restricted Agricultural “A2” Zone to Residential Multiple “RM2-313(a)” Zone; from Restricted Agricultural “A2-176” Zone and Existing Residential “ER” Zone to Residential Multiple “RM4-314” Zone; from Residential “R2” Zone and Private Open Space “OS1-166” Zone, Modified, to Residential “R4-315” Zone; Restricted Agriculture “A2-176” Zone, Modified and Restricted Agriculture “A2” Zone to Residential Multiple “RM2-316” Zone; for lands located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive Glanbrook, as shown on Appendix “A” to Report PED19121, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED19121, 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 Exception 44 – “Exceptions to the Provisions of By-law” of the Township of Glanbrook Zoning By-law No. 464;
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That Zoning By-law Amendment Application ZAC-17-027 by Rob-Geof Properties Limited c/o Coleman Robinson (Owner), to add lands to the Hamilton Zoning By-law No. 05-200 and for changes in zoning from Existing Residential “ER” Zone, Private Open Space “OS1-166” Zone, Modified and General Commercial “H-C3-76” Zone, Modified in the Glanbrook Zoning By-law No. 464 to District Commercial (C6, 728) Zone and District Commercial (C6, 728, H113) Zone; and from District Commercial (C6, 570) Zone to District Commercial (C6, 728) Zone for lands located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive Glanbrook, as shown on Appendix “A” to Report PED19121, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “D” to Report PED19121, 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 D – Holding Provisions of Hamilton Zoning By-law No. 05-200;
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (d) That Draft Plan of Subdivision Application 25T-201706 by Rob-Geof Properties Limited c/o Coleman Robinson (Owner), to establish a Draft Plan of Subdivision known as “Jackson Heights Extension”, Glanbrook, on lands located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive Glanbrook, as shown on Appendix “E” to Report PED19121, be APPROVED, subject to the following:
 - (i) That this approval apply to the Draft Plan of Subdivision “Jackson Heights Extension”, 25T-201706, prepared by A. J. Clarke and Associates and certified by B.J. Clarke, dated April 30, 2019, consisting of eighteen lots for single detached dwellings (Lots 1 - 18), seven blocks for street townhouse dwellings (Blocks 19 – 23, 25 and 26), one block for maisonette dwellings (Block 24), one block for a multiple dwelling (Block 29), one block for commercial uses (Block 27), one block for future development (Block 28), three blocks for a future road widening (Blocks 30-32), two blocks for

- Stormwater Management (Blocks 33 and 34), and four proposed streets, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “F” to Report PED19121;
- (ii) That the Stormwater Management Facility retrofit works shall be in accordance with the City’s current Comprehensive Development Guidelines and Financial Policies Manual and funding approved at the time of original pond construction.

The proposed storm sewers $\geq 1350\text{mm}$ diameter (MH16 to pond inlet HW) are not eligible for Cost Sharing as they are proposed to convey 100-year flows from the external drainage areas; and,

- (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

(e) That the public submissions received did not affect the decision.

Result: Main Motion, As Amended, CARRIED by a vote of 9 to 0, as follows:

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Chad Collins
- YES - Councillor John-Paul Danko
- YES - Councillor Maria Pearson
- YES - Councillor Judi Partridge
- YES - Councillor Terry Whitehead
- YES - Councillor Brenda Johnson
- YES - Councillor Brad Clark

8. Application for a Zoning By-law Amendment for Lands Located at 336 and 338 King Street West, Dundas (PED19157) (Ward 13) (Item 8.3)

(Partridge/Collins)

- (a) That Zoning By-law Amendment application ZAR-19-020, by King@Dundas Inc., Owner, for a change in zoning from the Holding – Medium to High Density Multiple Dwelling Zone (H-RM3/S-127), Modified, to the Holding – Low to Medium Density Multiple Dwelling Zone (H-RM1/S-127a), Modified, in order to permit six townhouse (block townhouse) dwellings accessed by a rear lane, for lands located at 336 and 338 King Street West (Dundas), as

shown on Appendix “A” to Report PED19157, be APPROVED, on the following basis:

- (i) That the draft By-law attached as Appendix “B” to Report PED19157, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law, attached as Appendix “B” to Report PED19157, be added to Schedule “L” (Spencer Creek) of Zoning By-law No. 3581-86 as “H-RM1/S-127a”;
- (iii) That the item respecting 336-338 King Street West, Dundas is considered as completed and is to be removed from the Planning Committee’s Outstanding Business List; and,

(b) *That the submissions received did not affect the decision.*

Result: Main Motion, As Amended, CARRIED by a vote of 9 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

9. Marion Tucker Way (Item 11.1)

(Farr/Collins)

WHEREAS, Marion Tucker guided the Hess Village Mall Authority since its inception a few decades ago;

WHEREAS, Marion Tucker remained devoted to the beautification and cleanliness of Hess Village in addition to regularly attending or facilitating meetings formal or otherwise and respecting issues related to safety and security in the area; and,

WHEREAS, Marion Tucker’s efforts and love of not only Hess Village where she operated a successful Marketing and Design firm, but also our city, deserves a legacy recognition.

THEREFORE BE IT RESOLVED:

That the section of George Street between Queen Street South and Caroline Street South be named Marion Tucker Way, with the cost of \$700 to install four (4) signs be funded from the Ward 2 Area Rating Capital Reserve Fund (#108052).

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Brad Clark

10. 292 Dundas Street East (Maple Lawn), Waterdown (Added Item 12.1)

(Partridge/Farr)

WHEREAS, there is concern that 292 Dundas Street East, Waterdown, will be placed on the market for the purpose of redevelopment;

WHEREAS, 292 Dundas Street East, Waterdown, is listed on the City's Heritage Inventory, but is not currently recognized through registration or protected through designation under the *Ontario Heritage Act*,

WHEREAS, a preliminary evaluation of Cultural Heritage Value or Interest conducted as part of the Waterdown Village Built Heritage Inventory found that 292 Dundas Street East, Waterdown meets the criteria specified in *Ontario Regulation 9/06* including, but not limited to:

- Historical Associations – The property is located on an early transportation route known as “The Governor’s Road” that stretched from Mississauga to London and has been in use since the late 1700s. The property is associated with potentially significant people in Waterdown’s history, including George Allison and Harold Greene. George Allison, believed to be the first owner of the house, was a recognized character in the early development of the Village. He served the local community as a juror and magistrate. Harold Greene was the first publisher of the *Waterdown Review*. He lived in the house with his family in the late 1910s and a few of the early issues are believed to have been produced in a carriage house located on the property. Additionally, the property has the potential to yield information that contributes to the understanding of the community through additional research.

- Physical and Architectural Design – The property is a representative example of vernacular residence constructed in the Victoria period and influenced by Gothic Revival and Italianate architectural styles. The two-storey house of stretcher bond brick construction (now painted) sits on a rubble and brick foundation. The house is defined by its Gothic-style high-gabled roof three bay façade and bay window with Italianate detailing, all displaying a high degree of craftsmanship. Victorian style influences include the wide front verandah, decorative bargeboard, and other decorative flourishes. Over all, the design of the building does not appear to have changed significantly since its construction circa mid-to-late 20th century.
- Contextual Value – The property is important in defining the historic character of the area and maintaining the historic fabric of Dundas Street East. In addition to the property’s location along a historic transport route, the property is physically, visually, and historically linked to its surroundings. The 19th-century single-detached building helps define the early residential character at the west end of Dundas Street in the Village of Waterdown along with the other prominent estate homes including the Smith-Carson House at no. 289, the Crooker House at no. 299 and Chestnut Grove at no. 315. The property may be considered a local landmark.

THEREFORE BE IT RESOLVED:

- (a) That 292 Dundas Street East, Waterdown, be added to the City’s Municipal Heritage Register as a non-designated property, after consultation with the Hamilton Municipal Heritage Committee; and,
- (b) That Council direct staff to add 292 Dundas Street East (Maple Lawn), Waterdown, to staff’s designation work plan and be assigned immediate priority for Heritage Designation in Q4.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Chad Collins
- YES - Councillor John-Paul Danko
- YES - Councillor Maria Pearson
- YES - Councillor Judi Partridge
- NOT PRESENT - Councillor Terry Whitehead
- NOT PRESENT - Councillor Brenda Johnson
- YES - Councillor Brad Clark

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.1 Lisa Weber respecting 292 Dundas Street East (Maple Lawn), Waterdown (Added Item 12.1)

2. CONSENT ITEMS (Item 7)

- 7.4 New Fee for Privately-Initiated Official Plan Amendment – Urban Boundary Expansion Applications (PED19146(a)) (City Wide) – By-law added

3. PUBLIC HEARINGS / DELEGATIONS (Item 8)

- 8.4 Application to Amend City of Hamilton Zoning By-law No. 6593 for the Lands Located at 370 Concession Street, Hamilton (PED19158) (Ward 7)

8.4(b) Written Submission from Jackie Beaudin

4. NOTICES OF MOTION (Item 12)

- 12.1 292 Dundas Street East (Maple Lawn), Waterdown

(Johnson/Farr)

That the agenda for the August 13, 2019 meeting be approved, as amended.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
NOT PRESENT - Councillor Chad Collins
NOT PRESENT - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) July 9, 2019 (Item 4.1)

(Partridge/Whitehead)

That the Minutes of the July 9, 2019 meeting be approved, as presented.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
NOT PRESENT - Councillor Chad Collins
NOT PRESENT - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

(d) DELEGATION REQUESTS (Item 6)

**(i) Lisa Weber respecting 292 Dundas Street East (Maple Lawn),
Waterdown (Item 12.1 on today's agenda) (Added Item 6.1)**

(Partridge/Johnson)

That the Delegation Request from Lisa Weber respecting 292 Dundas Street East (Maple Lawn), Waterdown be approved for today's meeting, to be heard at this time.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
NOT PRESENT - Councillor Chad Collins
NOT PRESENT - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

(e) **PUBLIC HEARINGS/DELEGATIONS (Item 8)**

- (i) **Lisa Weber respecting 292 Dundas Street East (Maple Lawn), Waterdown (Item 12.1 on today's agenda) (Added Item 8.5)**

Lisa and Jeff Weber addressed the Committee about concerns with adding their property, 292 Dundas Street East (Maple Lawn) to the Municipal Heritage Register as a non-designated property.

(Partridge/Whitehead)

That the Delegation from Lisa and Jeff Weber respecting 292 Dundas Street East (Maple Lawn), Waterdown, be received.

CARRIED

For further disposition of this matter, refer to Item 10.

(f) **CONSENT ITEMS (Item 7)**

- (i) **New Fee for Privately-Initiated Official Plan Amendment - Urban Boundary Expansion Applications (PED19146(a)) (City Wide) (Item 7.4)**

(Collins/Danko)

That the recommendation be amended to change the amount from \$67,785 to \$67,875, to read as follows:

That the Tariff of Fees By-law No. 12-282 be amended to establish a new fee of ~~\$67,785~~ **\$67,875** for an Official Plan Amendment – Urban Boundary Expansion application, to be broken into two phases (Phase 1 being \$56,204 and Phase 2 being \$11,671).

Result: Amendment CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Brad Clark

For further disposition of this matter, refer to Item 4.

(g) PUBLIC HEARINGS/DELEGATIONS (Item 8) (Continued)

(i) Application for Zoning By-law Amendment for Lands Located at 360 Mohawk Road West (Hamilton) (PED19149) (Ward 14) (Item 8.1)

In accordance with the provisions of the Planning Act, Chair Pearson advised 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.

(Collins/Whitehead)

That the public meeting be closed.

CARRIED

(Danko/Whitehead)

That the staff presentation be waived.

CARRIED

Angela Bounamici and Scott Arbuckle, IBI Group, were in attendance and indicated support for the staff report and addressed the Committee.

(Danko/Whitehead)

That the recommendations in Report PED19149 be amended by adding the following sub-section (c):

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

Result: Amendment CARRIED by a vote of 9 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

For disposition of this matter, refer to Item 6.

- (ii) **Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464, Hamilton Zoning By-law No. 05-200 and for Approval of a Draft Plan of Subdivision “Jackson Heights Extension – Phase 2” for Lands Located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive, Glanbrook (PED19121) (Ward 11) (Item 8.2)**

In accordance with the provisions of the Planning Act, Chair Pearson advised 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 Amendment, Zoning By-law Amendment 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.

(Johnson/Clark)

That the public meeting be closed.

CARRIED

(Johnson/Clark)

That the staff presentation be waived.

CARRIED

Stephen Fraser and Andrew Smith, A.J. Clarke & Associates, were in attendance and indicated support for the staff report and addressed the Committee.

(Johnson/Partridge)

That the presentation and correspondence from Stephen Fraser and Andrew Smith, A.J. Clarke & Associates, be received.

CARRIED

(Johnson/Farr)

That the recommendations in Report PED19121 be amended by adding the following sub-section (e):

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

Result: Amendment CARRIED by a vote of 9 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins

YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

For disposition of this matter, refer to Item 7.

(iii) Application for a Zoning By-law Amendment for Lands Located at 336 and 338 King Street West, Dundas (PED19157) (Ward 13) (Item 8.3)

In accordance with the provisions of the Planning Act, Chair Pearson advised 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.

(Johnson/Whitehead)

That the public meeting be closed.

CARRIED

(Johnson/Whitehead)

That the staff presentation be waived.

CARRIED

Kelly Martel, MHBC, agent, was in attendance and indicated support for the staff report and addressed the Committee.

(Partridge/Whitehead)

That the presentation from Kelly Martel, MHBC, be received.

CARRIED

(Collins/Clark)

That the recommendations in Report PED19157 be amended by deleting sub-section (iii) in its entirety, and renumbering the balance accordingly, and that the by-law be prepared as amended, to read as follows:

- (a) That Zoning By-law Amendment application ZAR-19-020, by King@Dundas Inc., Owner, for a change in zoning from the Holding – Medium to High Density Multiple Dwelling Zone (H-RM3/S-127), Modified, to the Holding – Low to Medium Density Multiple Dwelling

Zone (H-RM1/S-127a), Modified, in order to permit six townhouse (block townhouse) dwellings accessed by a rear lane, for lands located at 336 and 338 King Street West (Dundas), as shown on Appendix "A" to Report PED19157, be APPROVED, on the following basis:

- (i) That the draft By-law attached as Appendix "B" to Report PED19157, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law, attached as Appendix "B" to Report PED19157, be added to Schedule "L" (Spencer Creek) of Zoning By-law No. 3581-86 as "H-RM1/S-127a";
- ~~(iii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding Symbol 'H' as a suffix to the proposed zoning;~~

~~The Holding Provision "H-RM1/S-127" (Holding Low to Medium Density Multiple Dwelling Zone (H-RM1/S-127a), Modified, applicable as shown on Schedule "A" of Appendix "B" to Report PED19157, be removed conditional upon:~~

- ~~(1) The owner / applicant shall investigate noise levels on the site and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environment, Conservation and Parks recommended sound level limits. An acoustical report, prepared by a Professional Engineer containing recommended control measures shall be submitted to the satisfaction of the Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner/applicant and shall be submitted to the satisfaction of the Director of Planning and Chief Planner.~~
- ~~(2) The owner / applicant shall investigate anticipated residential water usage and fire flow through the submission of a Watermain Hydraulic Analysis Report to the satisfaction of the Senior Director of Growth Management.~~
- (iii)** That the item respecting 336-338 King Street West, Dundas is considered as completed and is to be removed from the Planning Committee's Outstanding Business List.

Result: Amendment CARRIED by a vote of 9 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

(Partridge/Collins)

That the recommendations in Report PED19157 be amended by adding the following sub-section (b):

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

Result: Amendment CARRIED by a vote of 9 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

For disposition of this matter, refer to Item 8.

(iv) Application to Amend City of Hamilton Zoning By-law No. 6593 for the Lands Located at 370 Concession Street, Hamilton (PED19158) (Ward 7) (Item 8.4)

In accordance with the provisions of the Planning Act, Chair Pearson advised 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.

Melanie Schneider, Planner II, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at www.hamilton.ca or through the Office of the City Clerk.

(Danko/Collins)

That the staff presentation be received.

CARRIED

Amber Lindsay, UrbanSolutions, was in attendance and indicated support for the staff report and addressed the Committee.

(Partridge/Danko)

That the presentation from Amber Lindsay, UrbanSolutions, be received.

CARRIED

Delegations:

1. William Young, 302-370 Concession Street, addressed the Committee and expressed concerns with the proposal.
2. Ian Ludbrook, 406-370 Concession Street, addressed the Committee and expressed concerns with the proposal.
3. Jackie Beaudin, 53 East 14th Street, addressed the Committee and expressed concerns with the proposal.
4. Terry Brown, 35 East 14th Street, addressed the Committee and expressed concerns with the proposal.
5. Willy Chew, 51 East 14th Street, addressed the Committee and expressed concerns with the proposal.

(Clark/Johnson)

That the Delegations be received.

CARRIED

Written Submissions:

1. Jackie Beaudin

(Clark/Johnson)

That the written submission be received.

CARRIED

(Clark/Johnson)

That the public meeting be closed.

CARRIED

(Clark/Farr)

That Report PED19158 be deferred for 30 days to provide the Ward Councillor with sufficient time to meet with the residents and applicant.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

(h) NOTICES OF MOTION (Item 12)

(i) 292 Dundas Street East (Maple Lawn), Waterdown (Item 12.1)

(Partridge/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting 292 Dundas Street East (Maple Lawn), Waterdown.

Result: Motion CARRIED by a 2/3's majority vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Brad Clark

For disposition of this matter, refer to Item 10.

(i) **GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

(i) **Outstanding Business List (Item 13.1)**

(Clark/Johnson)

That Item 19E respecting Variable Development Charges be transferred to the Audit, Finance & Administration Committee's Outstanding Business List.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Brad Clark

(Collins/Danko)

That the following changes to the Outstanding Business List be approved:

(a) **Items Requiring New Due Dates:**

Item 19C - On Street Parking Permits - Wellington St
North Current Due Date: August 13, 2019
Proposed New Due Date: October 15, 2019

Item 19D - 2019 Operating Budget Offsets from Planning and
Development Fees
Current Due Date: TBD
Proposed New Due Date: October 15, 2019

Item 19E - Variable Development
Charges Current Due Date: TBD
Proposed New Due Date: October 2019

Item 19G - Residential Care Facilities and Group Homes
(Urban Area) - Human Rights and the Zoning By-law
Discussion Paper (CI-19-B) Current Due Date: TBD
Proposed New Due Date: December 3, 2019

Item 19L - Year Round Live-Aboards at West Harbour
Marina Current Due Date: TBD
Proposed New Due Date: October 15, 2019

Item 19M - Amendment to Nuisance By-law No. 09-110
respecting Cannabis Growing Operations
Current Due Date: TBD
Proposed New Due Date: September 3, 2019

Item 19P - Corporate Policy for Official Planning Notification During
Mail Strikes
Current Due Date: TBD
Proposed New Due Date: November 19, 2019

Item 19Q - Application for Zoning By-law Amendment for Lands
Located at 116 and 120 Barnesdale Avenue North
Current Due Date: TBD
Proposed New Due Date: October 1, 2019

(b) Items to be Removed:

Item 19B.2 - Modifications and Updates to the City of Hamilton
Zoning By-law No. 05-200
(Addressed as Item 8.3 on this agenda)

Item 19H - Tree Service Company Licensing Feasibility Report
(Addressed as Item 10.1 on the July 9th agenda)

Result: Motion CARRIED by a vote of 7 to 0, as follows:

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Chad Collins
- YES - Councillor John-Paul Danko
- YES - Councillor Maria Pearson
- YES - Councillor Judi Partridge
- NOT PRESENT - Councillor Terry Whitehead
- NOT PRESENT - Councillor Brenda Johnson
- YES - Councillor Brad Clark

(j) ADJOURNMENT (Item 15)

(Farr/Partridge)

That there being no further business, the Planning Committee be adjourned at 1:19 p.m.

CARRIED

Councillor Maria Pearson
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk