



PLANNING COMMITTEE REPORT

19-017

November 5, 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 in Attendance: Councillor E. Pauls

THE PLANNING COMMITTEE PRESENTS REPORT 19-017 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Municipal Heritage Committee Report 19-008 (Item 7.1)

(i) 2019 Staff Work Plan Update (PED19204) (City Wide) (Item 10.1)

That Report PED19204 respecting the 2019 Staff Work Plan Update, be received.

(ii) Education and Communication Working Group Proposal respecting a Heritage Workshop (Added Item 10.2)

- (a) That the proposal to conduct a Heritage Workshop for the public on February 20, 2020 (during Heritage Week), and attached to Planning Committee Report 19-017 as Appendix "A", be approved; and
- (b) That the cost of catering and potential room rental to host a Heritage Workshop for the public, to an upset of \$350, be approved and funded from Account 57540-812040.

2. Adjustments to School Crossing Guard Locations (PED19212) (Wards 1, 3, 5, 9, 13 and 15) (Item 7.2)

- (i) That the revised list of school crossing guard locations resulting from school closures, openings, construction projects, walking patterns and

lunch program changes in Wards 1, 3, 5, 9, 13, and 15 as outlined in Appendix “B” attached to Planning Committee Report 19-017, be approved;

- (ii) That staff be authorized and directed to consult with the affected Ward Councillors and to use delegated authority for adding and/or removing school crossing guards prior to City Council approval for any proposed changes by the Hamilton-Wentworth District School Board (HWDSB) and the Hamilton-Wentworth Catholic District School Board (HWCDSB) for the 2020/2021 school year.

3. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED19205) (City Wide) (Item 7.3)

That Report PED19205 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

4. Application for Zoning By-law Amendment for Lands Located at 2798 and 2804 King Street East and 8 Vienna Street, Hamilton (PED19209) (Ward 5) (Item 8.1)

- (a) That Zoning By-law Amendment Application ZAR-19-037 by Tommar Construction Co. Limited and Tamlann Investments Ltd. c/o Sam Desto, Owner, for a change in zoning from the “AA” (Agricultural) District to the “C/S-1790” (Urban Protected Residential, Etc.) District, Modified (Block 1) for lands located at 2798 and a portion of 2804 King Street East, Hamilton and for a modification to the “C” (Urban Protected Residential, Etc.) District (Block 2), for a portion of the lands located at 8 Vienna Street, Hamilton, in order to facilitate future severance applications for the purpose of land assembly and permit the development of one single detached dwelling as shown on Appendix “A” to Report PED19209, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED19209, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), and comply with the Urban Hamilton Official Plan; and,
- (b) That there were no public submissions received on this matter.

5. City Initiative 19-H – Modifications to Zoning By-law Nos. 6593 and 05-200 - Lands on the west side (bay side) of Beach Boulevard (PED19190) (Ward 5) (Item 8.2)

- (a) That City Initiative 19-H to further amend the “C/S-1436” (Urban Protected Residential, etc.) District and “G/S-1436” (Neighbourhood Shopping Centre, etc) District, modified, of Zoning By-law No. 6593, to increase the minimum ground floor elevation to 76.5 metres from 76.0 metres above mean sea level and to update technical references to the regulations and Schedules of By-law No. 99-170, for lands on the west side (bay side) of Beach Boulevard, in the former City of Hamilton, as shown on Appendix “A”, to Report PED19190, be APPROVED on the following basis:
 - (i) That the draft By-law attached as Appendix “B” to Report PED19190, 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 PED19190, be added to District Maps Nos. E-80b, E-80c, E-80d, E-80e and E-80f of Zoning By-law No. 6593 as “C/S-1436b” (Urban Protected Residential, etc.) and “G/S-1436b” (Neighbourhood Shopping Centre, etc) Districts; and,
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms with A Place to Grow Plan (2019) and complies with the Urban Hamilton Official Plan.
- (b) That City Initiative 19-H to amend Zoning By-law No. 05-200 to add a site-specific exception to the Neighbourhood Commercial (C2) Zone to require a minimum building elevation of 76.5 metre above mean sea level, greater side yard setbacks and accessory building regulations, for the properties located at Nos. 328, 336, 344 (part), 400, 532, 536, and 538 Beach Boulevard, in the former City of Hamilton, as shown on Appendix “A” to Report PED19190, be APPROVED on the following basis:
 - (i) That the draft By-law attached as Appendix “C” to Report PED19190, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms with A Place to Grow Plan (2019) and complies with the Urban Hamilton Official Plan.
- (c) That the City Solicitor be instructed to appeal and oppose any Committee of Adjustment approvals where the application was not supported by the Planning and/or Growth Management Divisions and the approval would

permit a minimum ground floor elevation of less than 76.5 metres above mean sea level or a side yard less than the minimum required by the Zoning By-law, for lands on the west side (bay side) of Beach Boulevard; and,

- (d) That there were no public submissions received on this matter.

6. Fencing By-law Appeal Process (Item 11.1)

That staff be directed to look at the feasibility of having an appeal process for the Fencing By-law.

7. Appeal to the Local Planning Appeal Tribunal on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 05-200 and Former City of Hamilton Zoning By-law No. 6593 for the Lands Located at 1518, 1530 and 1540 Upper Sherman Avenue (Hamilton) (Ward 7) (LS18020(a)/PED18172(a)) (Item 14.2)

- (a) That the recommendations (a), (b), (c), (d), (e) and (f) contained in Report LS18020(a)/PED18172(a), and the appendices thereto, remain confidential until made public as the City's position before the Local Planning Appeal Tribunal; and,
- (b) That the balance of Report LS18020(a)/PED18172(a), appendices thereto and recommendations therein remain confidential.

8. 198 First Road West and 165 Upper Centennial Parkway Appeals Settlement (Added Item 14.3)

That the direction provided to staff in Closed Session, respecting 198 First Road West and 165 Upper Centennial Parkway Appeals Settlement, be approved.

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 Angela Riley respecting a Request for a Taxi Stand (For the November 19th meeting)

2. NOTICES OF MOTION (Item 12)

- 12.1 Reduction in MLE Vehicles

3. PRIVATE AND CONFIDENTIAL (Item 14)

14.3 198 First Road West and 165 Upper Centennial Parkway Appeals Settlement

The agenda for the November 5, 2019 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

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

(i) October 15, 2019 (Item 4.1)

The Minutes of the October 15, 2019 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Angela Riley respecting a Request for a Taxi Stand (For the November 19th meeting) (Added Item 6.1)

The Delegation Request from Angela Riley respecting a Request for a Taxi Stand was approved for the November 19th meeting.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Application for Zoning By-law Amendment for Lands Located at 2798 and 2804 King Street East and 8 Vienna Street, Hamilton (PED19209) (Ward 5) (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.

The public meeting was closed.

The staff presentation was waived.

Katelyn Gillis, T. Johns Consulting Group, was in attendance and indicated support for the staff report.

The recommendations in Report PED19209 were **amended** by adding the following sub-section (b):

(b) *That there were no public submissions received on this matter.*

For disposition of this matter, refer to Item 4.

(ii) City Initiative 19-H – Modifications to Zoning By-law Nos. 6593 and 05-200 - Lands on the west side (bay side) of Beach Boulevard (PED19190) (Ward 5) (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 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.

The public meeting was closed.

The staff presentation was waived.

The recommendations in Report PED19190 were **amended** by adding the following sub-section (d):

(d) *That there were no public submissions received on this matter.*

For disposition of this matter, refer to Item 5.

(f) NOTICE OF MOTIONS (Item 12)

(i) Reduction in MLE Vehicles (Added Item 12.1)

Councillor Farr introduced the following Notice of Motion:

WHEREAS, City Council has unanimously declared a Climate Crisis.

WHEREAS, Vehicles are a major contributor to green house gas emissions.

WHEREAS, There are approximately 35 cars that make up part of the Municipal Law Enforcement Fleet.

WHEREAS, Reducing the use of vehicles, particularly lone occupant vehicles, will likely translate to a reduction in operating costs.

WHEREAS, Cycling / Transit / Walking is both good for the environment and a healthy model option of transportation for City if HAMILTON Employees.

THEREFORE BE IT RESOLVED:

That in an effort to lead by example as a Corporation of the City of Hamilton during this officially declared Climate Crisis, that the appropriate staff be requested to report back to Planning Committee and/or the 2020 Operating Budget Process on considerations respecting reducing the amount of vehicle use by MLE staff during day to day operations that may include, but not be limited to cycling, transit, car share and car pooling.

(ii) Feasibility of Including the “Glanbrook Sports Park” into the Binbrook Urban Boundary (Added Item 12.2)

Councillor Johnson introduced the following Notice of Motion:

WHEREAS, Glanbrook has grown exponentially in the past 20 years and the demand for recreation programs has increased significantly;

WHEREAS, Glanbrook residents travel on average 5 km to access recreation programs;

WHEREAS, according to the capital budget, Glanbrook is slated for a recreation centre in 2028;

WHEREAS, Recreation centres require approx. 25 acres (10 hectares);

WHEREAS, the only available land is the “Glanbrook Sports Park” that currently has an arena, baseball and soccer facilities as well as the municipal centre;

WHEREAS, “Glanbrook Sports Park” is approx. 25 acres (10 hectares);

WHEREAS, “Glanbrook Sports Park” is within the Greenbelt and abuts the urban boundary;

WHEREAS, “Glanbrook Sports Park” has a very fragile septic system and well;

WHEREAS, Installation of new infrastructure such as water and sewer is not allowed within Greenbelt lands;

WHEREAS, according to Growth Plan for the Greater Golden Horseshoe, the need for a settlement area boundary expansion has been justified in accordance with policy 2.2.8.225 acres (10 hectares) can be included in the Binbrook Village urban boundary;

THEREFORE BE IT RESOLVED:

That staff be directed to look at the feasibility of including the lands of the “Glanbrook Sports Park” into the Binbrook Village Urban Boundary.

(g) GENERAL INFORMATION/OTHER BUSINESS (Item 13)

(i) Outstanding Business List (13.1)

The following changes to the Outstanding Business List, were approved:

12A - Regulation of Rental Housing
Current Due Date: November 5, 2019
Proposed Due Date: December 3, 2019

12B - Request to Designate 437 Wilson Street East (Ancaster)
Current Due Date: September 17, 2019
Proposed Due Date: May 5, 2020

14A - Adding 206, 208 and 210 King St E to the Register of Property of Cultural Heritage Value or Interest
Current Due Date: July 9, 2019
Proposed Due Date: April 7, 2020

17B - Designation of the Gore District as a Heritage Conservation District
Current Due Date: October 1, 2019
Proposed Due Date: April 7, 2020

18G - 8475 English Church Road - Zoning and OPA Amendments
Current Due Date: September 3, 2019
Proposed Due Date: February 18, 2020

18L - Review of the C6 and C7 Zoning Regulations
Current Due Date: September 17, 2019
Proposed Due Date: February 18, 2020

19G - Residential Care Facilities and Group Homes (Urban Area) - Human Rights and the Zoning By-law Discussion Paper (CI 19-B) (PED19091)
Current Due Date: December 3, 2019
Proposed Due Date: January 14, 2020

19Q - Application for Zoning By-law Amendment for 116 and 120 Barnesdale Ave N (PED19117)
Current Due Date: October 1, 2019
Proposed Due Date: June 14, 2020

19R - 282 McNab Street North (OPA and Zoning By-law Amendment)
Current Due Date: TBD
Proposed Due Date: March 24, 2020

19S - 370 Concession Street (Zoning By-law Amendment)
Current Due Date: TBD
Proposed Due Date: June 14, 2020

(ii) Increasing Fees for Metered Parking Spaces, Off-street Parking Lots and Parking Fines (Added Item 13.2)

- (a) Staff were directed to report back to the next Planning Committee meeting with options and alternatives related to increasing the fees of metered parking spaces, off-street parking lots and parking fines; and,
- (b) The information is to include, but not be limited to, the fees charged by comparable municipalities.

(h) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – October 15, 2019 (Item 14.1)

- (a) The Closed Session Minutes of the October 15, 2019 meeting of the Planning Committee were approved, as presented; and,
- (b) The Closed Session Minutes of the October 15, 2019 meeting of the Planning Committee are to remain confidential.

The Committee moved into Closed Session, respecting Items 14.2 and 14.3, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to: litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- (ii) **Appeal to the Local Planning Appeal Tribunal on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 05-200 and Former City of Hamilton Zoning By-law No. 6593 for the Lands Located at 1518, 1530 and 1540 Upper Sherman Avenue (Hamilton) (Ward 7) (LS18020(a)/PED18172(a)) (Item 14.2)**

Staff provided the Committee with legal advice on the matter.

For further disposition of this matter, refer to Item 7.

- (iii) **198 First Road West and 165 Upper Centennial Parkway Appeals Settlement (Added Item 14.3)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 8.

(i) **ADJOURNMENT (Item 15)**

There being no further business, the Planning Committee be adjourned at 10:59 a.m.

Councillor Maria Pearson
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk

HMHC Education & Commu Heritage Workshop Proposa

Who: Presented by:
Hamilton Municipal Heritage Committee,
Advisory Committee to Hamilton City
Council

Guest

Speaker:

Alan Stacey,
Principal of Heritage Mill, Conservator
Vice-President: Canadian Association of Heritage Professionals

Alan is a materials conservation specialist, trained in both an indentured five year apprenticeship as well as at Salisbury College, England, where he achieved distinction in his City & Guilds Diploma. Alan was schooled in the conservation approach to traditional building techniques, carpentry and joinery. As a student and an apprentice Alan also learned woodcarving, turning, and traditional historic paint and spirit finish conservation and restoration. Alan worked in professional practice in Europe and in the UK for over two decades before immigrating to Canada, where he now leads a skilled team of historic building conservation specialists that are dedicated to the preservation of Canadas built heritage. Projects include many significant historic buildings, including, The Welland Courthouse, Alderlea Heritage Estate, Auchmar Heritage Estate, Eaton Hall, Dundurn Castle.

What: Proposed Heritage Workshop
Working Title: "Preserving Built Heritage"

The Guest Speaker will deliver a lecture and demonstration on the conservation and restoration of heritage buildings with an emphasis on architectural woodwork and in particularly windows and doors. He will use local Hamilton examples including the Hamilton Club, the Westdale Theatre, Dundurn Castle, Auchmar and Westinghouse. Attendees will be provided with information that will encourage the preservation of our built Heritage and an appreciation for these projects. In Alan Stacey's own words *"these projects are culturally significant; they serve to define the past and present, along with the cultural landscapes in which we live and work."*

Why:

- To promote best practices in heritage conservation
- To offer hands-on, educational opportunities for the general public
- To support and fulfill HMHC's mandate

HMHC Education & Commu

Heritage Workshop Proposa

Where: Westinghouse HQ,
286 Sanford Avenue N., Hamilton, Ontario L8L 6A1

The Hamilton branch of Westinghouse Air Brake Company was founded in 1867 and was the first site of the company outside the United States. In 1903 they incorporated and the Canadian Westinghouse Company Limited was established.

Designed by the Hamilton architectural firm of Prack & Perrine, the new head office of the Canadian Westinghouse Company Limited was built in 1917 in the Classical Revival style. This beautiful five-storey office building was constructed across the street from the factory and included a bridge for easy movement between the office and the manufacturing buildings. In 1928, two additional floors were added.

Falling on tough economic times, these offices closed and the building sat vacant since the mid-80's. The was Designated in 1988, highlighting the original architectural features of all four exterior facades, including the brick masonry walls, stone trim and wood-framed, double hung windows.

It has only been in recent years that the property was purchased by Electric City Developments and the adaptive reuse of this landmark building has been undertaken to create modern office and event space that is sustainable and accessible.

When: Wednesday February 19th, 2020 (During Heritage Week in

Ontario) Tentative Agenda: Doors Open:

6:30 pm

Introductions:	7:00 pm
Presentation:	7:15 pm – 8:15 pm
Break Time:	8:15pm – 8:30
pm Q & A Session:	8:30pm – 8:50
pm Wrap-up:	8:50pm – 9:00
pm (To be confirmed with Alan Stacey)	

HMHC Education & Commu Heritage Workshop Proposa

How:

- This is a FREE event offered to members of the public.
- The public are encouraged to REGISTER in advance of the event.
- Alan Stacey has offered his time at no cost to HMHC
- Westinghouse HQ has offered access to their property at no cost to HMHC (This is to be Confirmed) - Room Rental (if required) would be \$135.00 - \$185.00
- Other Expenses?
 - Administrative / Promotional?
 - Snacks & Refreshments? Partial Sponsorship? (Durand Coffee has offered to provide snacks and refreshments at cost for 125 guests for \$120.00)

Recommendations:

1. That Hamilton City Council support the involvement of the Hamilton Municipal Heritage Committee in this proposed Heritage Workshop; as a way to promote best practices in heritage conservation, to offer hands-on, educational opportunities for the general public and to support and fulfill HMHC's mandate.
2. That snacks and refreshments (no-alcoholic) be provided for participants. Staff to allocate the required funds from the appropriate budget / account.
3. That should there be a cost associated with a room rental for this event, that Staff can allocate the required funds from the appropriate budget / account.

**Adjustments to School Crossing Locations
2019 - 2020 School Year**

WARD 1					
Intersection Type	Hours Worked	Crossing Location	Status	Comments	School Serviced
Ped Crossover	1.65	Queen St S & Herkimer	New Location	Request from Councillor/parents	Earl Kitchener, Ryerson, St Joseph
All Way	2.75	Herkimer & Locke	Lunch Removal	0 Children Crossing	Earl Kitchener, Ryerson, St Joseph
WARD 3					
Intersection Type	Hours Worked	Crossing Location	Status	Comments	School Serviced
All Way	2.75	Dunsmure & Grosvenor	Lunch Removal	0 Children Crossing	Memorial School
Full Signal	2.75	Cannon & Lottridge	Lunch Removal	0 Children Crossing	Prince of Whales
WARD 5					
Intersection Type	Hours Worked	Crossing Location	Status	Comments	School Serviced
All Way	1.65	Woodman Dr & Secord	New Location	School/Parent Request	Glen Brae & Glen Echo
All Way	1.65	Glen Echo Dr & Loyalist	New Location	Ward Office/School Request	Glen Echo
WARD 9					
Intersection Type	Hours Worked	Crossing Location	Status	Comments	School Serviced
Through	1.65	Bellagio Ave & Keystone	New Location	New School	Shannen Koostachin
WARD 13					
Intersection Type	Hours Worked	Crossing Location	Status	Comments	School Serviced
All Way	1.65	Castlewood & Huntingwood	New Location	Ward Office/School Request	Sirr William Osler/St. Bernadette
WARD 15					
Intersection Type	Hours Worked	Crossing Location	Status	Comments	School Serviced
PPS	1.65	Braeheid Ave & Parkside	Removal	Construction Completed	Guy Brown/Allen Greenleaf
All Way	1.65	Duncan & Longyear	Removal	Construction Completed	Guy Brown/Allen Greenleaf