



# **PLANNING COMMITTEE**

## **MINUTES**

**20-003**

**February 18, 2020**

**9:30 a.m.**

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

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

**Absent with Regrets:** Councillor T. Whitehead – Personal

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### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

**1. Applications for Amendments to the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 461 Green Road (Stoney Creek) (PED20043) (Ward 10) (Item 8.1)**

**(Pearson/Collins)**

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-013, by IBI Group (c/o Jared Marcus, Applicant) on behalf of 1426689 Ontario Inc. (Owner) to add a site specific policy in order to permit a 14-storey 260 unit multiple dwelling with a maximum net residential density of 349 units per hectare, for lands located at 461 Green Road, Stoney Creek, as shown on Appendix "A" to Report PED20043, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED20043, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow (2019).
- (b) That Revised Zoning By-law Amendment Application ZAC-18-034, by IBI Group (c/o Jared Marcus, Applicant) on behalf of 1426689 Ontario Inc.

(Owner) to change the zoning from the Community Commercial (C3) Zone to the Mixed Use Medium Density (C5, 669, H34) Zone, in order to permit a 14-storey mixed use development with 465 m<sup>2</sup> of ground floor commercial space and 260 multiple dwelling units with on-site amenities, 97 surface parking spaces, and 293 underground parking spaces, for lands located at 461 Green Road, Stoney Creek, as shown on Appendix “A” to Report PED20043, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “C” to Report PED20043, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H34’ to the proposed Mixed Use Medium Density (C5, 669) Zone. The Holding Provision ‘H34’ is to be removed to allow for the development of a 14-storey mixed use development with 465 m<sup>2</sup> of ground floor commercial space and 260 dwelling units, conditional upon:
    - 1. The necessary upgrades to the sanitary sewers to accommodate additional flows are completed to the satisfaction of the Senior Director of Growth Management;
    - 2. A final Traffic Impact Study prepared by a qualified Traffic Engineer is submitted, approved, and implemented, to the satisfaction of the Manager of Transportation Planning; and,
    - 3. The Owner has acquired additional lands required for access along the Green Road frontage, to the satisfaction of the Ontario Ministry of Transportation.
  - (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow (2019); and,
  - (iv) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That upon approval of Urban Hamilton Official Plan Amendment Application UHOPA-18-013 and Zoning By-law Amendment Application ZAC-18-034, the subject lands be re-designated from “Local Commercial” to “High Density Residential” in the Lakeshore Neighbourhood Plan.
- (d) ***That public submissions received regarding this matter did not affect the decision.***

**Result: Main Motion, As Amended, CARRIED by a vote of 5 to 1, as follows:**

NOT PRESENT - Ward 1 Councillor Maureen Wilson  
YES - Ward 5 Councillor Chad Collins  
NO - Ward 8 Councillor John-Paul Danko  
YES - Chair - Ward 2 Councillor Jason Farr  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Vice Chair - Ward 9 Councillor Brad Clark

**2. Effect of Heritage Designations on Property Values in Hamilton (PED20030) (City Wide) (Item 10.1)**

**(Pearson/Partridge)**

That Report PED20030, respecting Effect of Heritage Designations on Property Values in Hamilton, be received.

**CARRIED**

**3. Business Licensing By-law 07-170 - Amendments to the Adult Entertainment (Schedule 1) and Body-Rub Parlours (Schedule 4) (PED20045) (City Wide) (Item 10.2)**

**(Collins/Pearson)**

- (a) That the amendment to the City of Hamilton Business Licensing By-law 07-170 be amended to delete Map 2 in Schedule 1 (Adult Entertainment) and Schedule 4 (Body-Rub Parlours) described in Report PED20045, detailed in the proposed amending by-law attached as Appendix "A" be approved; and,
- (b) That the amending by-law attached as Appendix "A" to Report PED20045, which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 8 Councillor John-Paul Danko  
YES - Chair - Ward 2 Councillor Jason Farr  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Vice Chair - Ward 9 Councillor Brad Clark

**4. Dedicated Mohawk College Enforcement (PED18220(a)) (City Wide) (Item 10.3)**

**(Danko/Pearson)**

- (a) That the 12-month extension of the temporary Parking Enforcement Officer at an estimated gross annual cost of \$85,300 offset by fine revenues generated for a net annual cost of \$0, be approved; and,
- (b) That the temporary Parking Enforcement Officer supplement City-wide Parking enforcement, in addition to the enforcement efforts in the Mohawk College Precinct, be approved; and,
- (c) That staff report back with results and recommendations following the 12-months at the end of Q1 2021.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

NOT PRESENT - Ward 1 Councillor Maureen Wilson  
CONFLICT - Ward 5 Councillor Chad Collins  
YES - Ward 8 Councillor John-Paul Danko  
YES - Chair - Ward 2 Councillor Jason Farr  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Vice Chair - Ward 9 Councillor Brad Clark

**5. Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton (Item 11.1)**

**(Farr/Collins)**

WHEREAS, construction work has commenced on the development of 18-25 King Street East, commonly known as the Gore Buildings;

WHEREAS, as part of the construction management planning process, the applicant is intending to temporarily displace the current parking to a nearby site;

WHEREAS, in 1999, in response to the demolition of commercial building and associated loss of economic activities and erosion of the tax base, the City of Hamilton amended the Zoning Bylaw No. 6593 for the downtown to prohibit any new parking lots; and,

WHEREAS, the developer of this construction site has currently secured two properties to be used for temporary parking to accommodate the lose of parking;

THEREFORE BE IT RESOLVED:

That staff temporarily defer any enforcement action against the temporary use of parking at 20 Jackson Street West and 28 James Street South for the purpose of accommodating the displaced parking for the duration of the construction period.

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 8 Councillor John-Paul Danko  
YES - Chair - Ward 2 Councillor Jason Farr  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Vice Chair - Ward 9 Councillor Brad Clark

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 2)**

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

**1. PUBLIC HEARINGS/DELEGATIONS (Item 8)**

- 8.1 (a) Application for Zoning By-law Amendment for Lands Located at 184 and 186 Markland Street, Hamilton (PED20016) (Ward 2)

Added Written Submissions:

- (ix) Alison Cruickshank
- (x) Doug and Pat Stanford
- (xi) Lenore Kummel
- (xii) Terylene McClelland
- (xiii) Debbie Martin
- (xiv) Judith A. Duncan
- (xv) Henry Kamphuis
- (xvi) Frank Jalsevac
- (xvii) Dave and Dianne MacLean
- (xviii) Colleen Saunders
- (xix) Sherry Hayes and Dennis Facia

**(Pearson/Partridge)**

That the agenda for the February 18, 2020 meeting be approved, as amended.

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 8 Councillor John-Paul Danko  
YES - Chair - Ward 2 Councillor Jason Farr  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Vice Chair - Ward 9 Councillor Brad Clark

**(b) DECLARATIONS OF INTEREST (Item 3)**

Councillor Collins declared an interest with Item 10.3, Dedicated Mohawk College Enforcement, as his spouse co-authored the report.

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

**(i) February 4, 2020 (Item 4.1)**

**(Collins/Wilson)**

That the Minutes of the February 4, 2020 meeting be approved, as presented.

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 8 Councillor John-Paul Danko  
YES - Chair - Ward 2 Councillor Jason Farr  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Vice Chair - Ward 9 Councillor Brad Clark

**(d) DELEGATION REQUESTS (Item 6)**

**(i) John Schuurman respecting City of Ottawa's Planning Department Initiative – Building Better and Smarter Suburbs Action Plan (For the March 24th meeting) (Item 6.1)**

**(Collins/Danko)**

That the Delegation Request from John Schuurman respecting City of Ottawa's Planning Department Initiative – Building Better and Smarter Suburbs Action Plan, be approved for the March 24, 2020 meeting.

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 8 Councillor John-Paul Danko  
YES - Chair - Ward 2 Councillor Jason Farr  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Vice Chair - Ward 9 Councillor Brad Clark

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

**(i) Applications for Amendments to the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 461 Green Road (Stoney Creek) (PED20043) (Ward 10) (Item 8.1)**

In accordance with the provisions of the *Planning Act*, Chair Farr 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 Urban Hamilton Official Plan or 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.

Tim Vrooman, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available through the Office of the City Clerk and online at [www.hamilton.ca](http://www.hamilton.ca).

**(Pearson/Clark)**

That the staff presentation be received.

**CARRIED**

John Ariens, IBI Group, was in attendance and indicated support for the staff report. A copy of the presentation is available through the Office of the City Clerk and online at [www.hamilton.ca](http://www.hamilton.ca).

**(Pearson/Collins)**

That the presentation from John Ariens, IBI Group, be received.

**CARRIED**

**Delegations:**

- (i) Frank Jalsevac, 301 Frances Avenue, addressed the Committee and expressed concerns with the proposal.
- (ii) Sayanthan Radhakrishnan, 124 Frances Avenue, addressed the Committee and expressed concerns with the proposal.

**(Pearson/Clark)**

That the delegations above, be received.

**CARRIED**

**(Pearson/Partridge)**

That the following written submissions be received:

- 8.1 (a)(i) Stan F. Kurak
- (ii) Linda McManus
- (iii) Diane Milburn
- (iv) Valerie Gardner and Peter Miller
- (v) Janice Mortimer
- (vi) Doreen Guindon
- (vii) Russell Pape
- (viii) Mark Lunt
- (ix) Alison Cruickshank
- (x) Doug and Pat Stanford
- (xi) Lenore Kummel
- (xii) Terylene McClelland
- (xiii) Debbie Martin
- (xiv) Judith A. Duncan
- (xv) Henry Kamphuis
- (xvi) Frank Jalsevac
- (xvii) Dave and Dianne MacLean
- (xviii) Colleen Saunders
- (xix) Sherry Hayes and Dennis Facia

**CARRIED**

**(Pearson/Collins)**

That the public meeting be closed.

**CARRIED**

**(Pearson/Collins)**

That the recommendations in Report PED20043 be **amended** by adding the following sub-section (d):

- (d) ***That the public submissions received on this matter did not affect the decision.***



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

NOT PRESENT - Ward 1 Councillor Maureen Wilson  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 8 Councillor John-Paul Danko  
YES - Chair - Ward 2 Councillor Jason Farr  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Vice Chair - Ward 9 Councillor Brad Clark

For disposition of this matter, refer to Item 1.

**(f) MOTIONS (Item 11)**

**(i) Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton (Item 11.1)**

Councillor Farr relinquished the Chair to Councillor Clark to present his Motion respecting Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton.

For disposition of this matter, refer to Item 5.

**(g) ADJOURNMENT (Item 15)**

**(Pearson/Clark)**

That there being no further business, the Planning Committee be adjourned at 11:56 a.m.

**CARRIED**

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Councillor Jason Farr  
Chair, Planning Committee

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Lisa Chamberlain  
Legislative Coordinator