



PLANNING COMMITTEE REPORT 21-010

June 15, 2021

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West

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

Also in Attendance: Councillor B. Clark

THE PLANNING COMMITTEE PRESENTS REPORT 21-010 AND RESPECTFULLY RECOMMENDS:

1. **Hamilton Municipal Heritage Committee Report 21-004 (Item 7.1)**
 - (a) **Inventory & Research Working Group Meeting Notes - April 26, 2021 (Added Item 10.1)**
 - (i) That the property located at 54-56 Hess Street South, Hamilton be added to the Staff Work Plan for Heritage Designation Under the *Ontario Heritage Act* as a high priority, and for the property to be added to the Hamilton Municipal Heritage Committee's Endangered Buildings and Landscape List (RED);
 - (ii) That the property located at 215 King Street West, Dundas be added to the Municipal Heritage Register and to Staff Work Plan for Heritage Designation Under the *Ontario Heritage Act*; and
 - (iii) That the property located at 219 King Street West, Dundas be added to the Municipal Heritage Register.
2. **Public Engagement Results Residential Care Facilities and Group Homes (Urban Area) - Human Rights and the Zoning By-law Discussion Paper (CI 19-B) (PED19091(a)) (City Wide) (Item 7.2)**

That Report PED19091(a) respecting Public Engagement Results Residential Care Facilities and Group Homes (Urban Area) - Human Rights and the Zoning By-law Discussion Paper (CI 19-B), be received.

Council – June 23, 2021

3. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED21123) (City Wide) (Item 7.3)

That Report PED21123 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

4. To Rename a Portion of Mountain Brow Road to King Road, Flamborough (PED21118) (Ward 15) (Item 7.4)

That a portion of Mountain Brow Road, in the former Town of Flamborough, between Granite Ridge Trail and King Road be renamed to King Road as identified on Appendix "A", to Report PED21118, in accordance with the draft By-law, attached as Appendix "B" to Report PED21118, which has been prepared in a form satisfactory to the City Solicitor, to be enacted by City Council.

5. Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 179, 181, 183, 185, 187, and 189 Catharine Street North, Hamilton (PED21119) (Ward 2) (Item 9.1)

(a) That Amended Official Plan Amendment application UHOPA-20-015 by IBI Group (c/o Mike Crough), Agent, on behalf of Woven Quarter Properties Inc. (c/o Brendan Morley), Applicant, and Kathy and Zdenko Pokupec, Roman Acquisitions, and Alice Fam, Owners, to redesignate the subject lands from the "Low Density Residential" to "Medium Density Residential 1" with a Site Specific Policy Area on Schedule M-2: General Land Use of the West Harbour (Setting Sail) Secondary Plan in the City of Hamilton Official Plan, to permit three multiple dwellings containing a maximum of 45 units, and the adaptive re-use of the existing semi detached dwelling to contain a maximum of four dwelling units, for a total of 49 units on the subject lands with a maximum residential density of 155 units per gross hectare, for lands located at 179, 181, 183, 185, 187 and 189 Catharine Street North, as shown on Appendix "A" to Report PED21119, be APPROVED on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED21119, be adopted by City Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe 2019, as amended.

(b) That Amended Zoning By-law Amendment application ZAC-20-027 by IBI Group (c/o Mike Crough), Agent, on behalf of Woven Quarter Properties Inc. (c/o Brendan Morley), Applicant, and Stanley, Kathy and Zdenko Pokupec, Roman Acquisitions, and Alice Fam, Owners, for a change in zoning from the "L-mr-2" (Planned Development) District to the "E-1/S-1809" – 'H' (Multiple Dwelling, Lodges, Clubs, etc.) District, Modified, Holding, to permit three multiple dwellings containing a maximum of 45 units, the

conversion the existing semi detached dwelling into a 4 unit multiple dwellings for a total of 49 units on the subject lands with 43 underground parking spaces, for lands located at 179, 181, 183, 185, 187 and 189 Catharine Street North, as shown on Appendix “A” to Report PED21119, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED21119, as amended, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (z) That in addition to Section 18.(3)(vi)(d), the following special provisions shall apply as it relates to a minimum side yard setback for a porch and stairway from the easterly side lot line measuring 9.33 metres:
 - (i) 4.3 metres shall be required for a porch and stairway located within 9.33 metres of the southerly side lot line measuring 21.06m.
- (ii) That the amending By-law attached as Appendix “C” to Report PED21119, be added to District Map No. E3 of Zoning By-law No. 6593 as “E-1/S-1809” – ‘H’;
- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. ____; and,
- (iv) That the amending By-law apply the Holding Provision 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 for the following:
 - 1. The Owner submit and receive completion of a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conversation and Parks (MECP) or enters into a conditional building permit agreement with respect to completing a Record of Site Conditions to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton’s current RSC administration fee.
 - 2. The Owner agrees in a Site Plan Agreement to implement all required noise mitigation measures identified in the Acoustical Study dated June 30, 2020 by IBI Group and

updated December 22, 2020, to the satisfaction of the Director of Planning and Chief Planner.

3. The Owner agrees in a Site Plan Agreement, to provide notice to any subsequent owner, as well as any prospective purchasers or tenants that the dwellings are located in a Class 4 area, and to agree to register this notice and any / all warning clauses on title, and include them in any purchase and sale and in any lease or rental agreement, to the satisfaction of the Director of Planning and Chief Planner.
 4. That a Conservation Plan for 187 - 189 Catharine Street North, Hamilton be submitted, approved and implemented through a Site Plan Agreement, all to the satisfaction of the Director of Planning and Chief Planner.
- (c) That Council deem the lands at 179, 181, 183, 185, 187 and 189 Catharine Street North (see Appendix "A" attached to Report PED21119) as a Class 4 Area pursuant to the Ministry of the Environment, Conservation and Parks' (MECP) Noise Guidelines NPC-300 (Stationary and Transportation Sources – Approval and Planning), and that the Class 4 area designation apply only to the development proposal attached as Appendix "D" attached to Report PED21119 with the requirement that all noise mitigation and warning clauses be secured through the Holding Provision attached to the implementing Zoning By-law as specified in Section iv) b) and c) outlined above.
- (d) That upon finalization of the amending By-law, the subject lands be redesignated from "Single and Double" and "Medium Density Apartments" to "Low Density Housing" in the Beasley Neighbourhood Plan.
- (e) That the public submissions were received and considered by the Committee in approving the application.
- 6. Application for a Zoning By-law Amendment for Lands Located at 321 Hatt Street, Dundas (PED21112) (Ward 13) (Item 9.2)**
- (a) That Amended Zoning By-law Amendment application ZAR-20-036, by Robert Russell Planning Consultants Inc. on behalf of Ronald Bamford (Owner), for a change in zoning from the Single - Detached Residential Zone (R2) to the Low Density Residential Zone (R4/S-140), Modified, in order to permit the development of a semi detached dwelling on the property for the lands located at 321 Hatt Street, as shown on Appendix "A" to Report PED21112, be APPROVED, on the following basis:
- (i) That the draft By-law, attached as Appendix "B" to Report PED21112, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), as amended, and complies with the Urban Hamilton Official Plan.
 - (b) That the public submissions were received and considered by the Committee in approving the application.
- 7. **Applications for Approval of a Draft Plan of Subdivision and Draft Plan of Condominium (Common Element) for Lands Located at 15 Picardy Drive, Stoney Creek (PED21121) (Ward 9) (Item 9.3)**
 - (a) That Draft Plan of Subdivision application 25T-201903, by IBI Group, on behalf of Trillium Housing Highbury Non-Profit Corp., Owner to establish a Draft Plan of Subdivision on lands located at 15 Picardy Drive (Stoney Creek), as shown on Appendix “A”, attached to Report PED21121, be APPROVED subject to the following conditions:
 - (i) That this approval applies to the Draft Plan of Subdivision application 25T-201903 prepared by A.T. McLaren Ltd., and certified by S.D. McLaren, O.L.S., dated March 8, 2019, consisting of two development blocks (Blocks 1 and 2) and one block (Block 3) that will be used for the future condominium road, visitor parking, landscaped areas and will be subject to an easement in favour of the lands to the east at 56 Highland Road West for shared sanitary, storm and water services in addition to shared vehicular and pedestrian access, attached as Appendix “B” to Report PED21121;
 - (ii) That the Special Conditions of Draft Plan of Subdivision Approval 25T-201903, as amended, attached as Appendix “C” to Report PED21121, be received and endorsed by City Council;
 - 5. That, prior to registration, and at the Owner’s expense, the Owner shall submit a Landscape Plan prepared by a qualified landscape architect for Block 1 and which shall include evergreen tree plantings along the southern portion of Block 1 for enhanced visual screening, to the satisfaction of the Senior Director of Growth Management and the Director of Planning and Chief Planner.
 - (iii) That payment of Cash-in-Lieu of Parkland be required, pursuant to Section 51 of the *Planning Act*, with the calculation of parkland payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, and in the case of multiple residential blocks, prior to the issuance of the first building permit, all in accordance with the Financial Policies for

Development and the City's Parkland Dedication By-law, as approved by Council; and,

- (iv) That the Owner enter into a Standard Form, Subdivision Agreement, with Special Conditions attached as Appendix "C" to Report PED21121.
- (b) That Draft Plan of Condominium application 25CDM-201903, by IBI Group, on behalf of Trillium Housing Highbury Non-Profit Corp., Owner to establish a Draft Plan of Condominium (Common Element) to create a condominium road network, sidewalks, landscaped area, outdoor amenity areas, and centralized mailboxes, on lands located at 15 Picardy Drive (Stoney Creek), as shown on Appendix "A", attached to Report PED21121, be APPROVED subject to the following conditions:
 - (i) That this approval applies to the Draft Plan of Condominium application 25CDM-201903 prepared by A.T. McLaren Ltd., certified by S.D. McLaren, O.L.S., dated June 18, 2020, consisting of a private road network, sidewalks, landscaped areas, outdoor amenity areas, visitor parking areas and centralized mailboxes in favour of 28 maisonette dwellings and 43 townhouse dwellings, attached as Appendix "D" to Report PED21121; and,
 - (ii) That the conditions of Draft Plan of Condominium (Common Element) Approval 25CDM-201903, attached as Appendix "E" to Report PED21121, be received and endorsed by City Council.
- (c) That upon approval of the Draft Plan of Subdivision and the Draft Plan of Condominium, the subject lands be re-designated from "Low Density Residential" to "Medium Density Residential" in the Felker Neighbourhood Plan.
- (d) That the public submissions were received and considered by the Committee in approving the application.

8. Extension of Support for Businesses Operating Outdoors (Added Item 12.1)

WHEREAS, the City of Hamilton is committed to supporting our local businesses as they try to navigate and respond to the challenges of the COVID pandemic;

WHEREAS, the Mayor's Task Force on Economic Recovery has recommended the City consider options to support local businesses through actions that facilitate placemaking, outdoor activities, and animation of commercial streets;

WHEREAS, on August 21, 2020 City Council through Report PED20135 approved Temporary Use By-law 20-181 to modify zoning standards with respect to where outdoor patios for restaurants, cafes, and similar uses could be located in order to facilitate the Outdoor Dining Districts Program;

WHEREAS, on October 14, 2020 City Council through Report PED20135(a) approved Temporary Use By-law 20-214 to allow temporary tents (not to be used for human habitation) for restaurants, places of worship, hospitals and schools for up to 6 consecutive months instead of the otherwise permitted five consecutive days;

WHEREAS, all of the Temporary Use By-laws, and therefore the special provisions for patios and for temporary tents, are currently set to expire on October 31, 2021;

WHEREAS, on June 7, 2021, the Province announced that Ontario will move into Step One of the Roadmap to Reopen as of Friday, June 11, which includes permission for outdoor fitness classes, outdoor personal training, and the opening of concert venues, theatres and cinemas outdoors for the purpose of rehearsing or performing a recorded or broadcasted concert, artistic event, theatrical performance or other performance with no more than 10 performers;

WHEREAS, these outdoor uses may seek to erect temporary tent structures, which may require Building Permits, and which will therefore need to meet all applicable zoning; and,

WHEREAS the current Temporary Use By-laws for the erection of temporary tents do not apply to these other outdoor uses;

THEREFORE BE IT RESOLVED

- (a) That staff be directed to prepare the appropriate Public Meeting notice under the *Planning Act* and associated report for Planning Committee to consider the following Zoning By-law 05-200 amendments at a future statutory public meeting:
 - (i) The necessary amendments to Temporary Use By-law 20-214 and other temporary use by-laws as necessary to include temporary tents associated with outdoor retail, commercial, entertainment, arts, and recreational uses as well as ancillary uses to existing permitted uses for up to 6 consecutive months and within required parking spaces; and,
 - (ii) The necessary amendments to the existing Temporary Use By-laws to extend the permissions for patios and temporary tents through to December 31, 2021;
- (b) That Council direct staff to immediately suspend the enforcement of the current zoning by-law provisions that were modified by the existing Temporary Use By-laws as they relate to outdoor retail, commercial, entertainment, arts, and recreational uses as well as ancillary uses to existing permitted uses, and that the suspension of enforcement continue

until such time as Council has considered the requested amendments to the Temporary Use By-laws.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.2 Jason Snyder respecting an Outdated Zoning Sign on Neighbouring Property (For today's meeting)

2. PUBLIC HEARINGS / DELEGATIONS (Item 9)

- 9.1 Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 179, 181, 183, 185, 187, and 189 Catharine Street North, Hamilton (PED21119) (Ward 2)

(a) Added Written Submissions:

(a) Brenna MacNaughton

- 9.2 Application for a Zoning By-law Amendment for Lands Located at 321 Hatt Street, Dundas (PED21112) (Ward 13)

(a) Added Written Submissions:

(a) Sherri Moss

3. NOTICES OF MOTION (Item 12)

- 12.1 Extension of Support for Businesses Operating Outdoors

The agenda for the June 15, 2021 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Wilson declared a conflict with Item 9.3 respecting Applications for Approval of a Draft Plan of Subdivision and Draft Plan of Condominium (Common Element) for Lands Located at 15 Picardy Drive, Stoney Creek (PED21121) (Ward 9), as her spouse is employed by the Hamilton Community Foundation which has a business relationship with the applicant of this matter.

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

(i) June 1, 2021 (Item 4.1)

The Minutes of the June 1, 2021 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Various Delegation Requests (Item 6.1 and Added Item 6.2)

The following delegation requests were approved for today's meeting, to be heard before Item 9.1:

- (a) Tracy Tucker, IBI Group, respecting Request to Designate 323 Rymal Road East as a Class 4 Noise Area (Item 6.1)
- (b) Jason Snyder respecting an Outdated Zoning Sign on Neighbouring Property (Added Item 6.2)

(e) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Tracy Tucker, IBI Group, respecting Request to Designate 323 Rymal Road East as a Class 4 Noise Area (Item 6.1)

Tracy Tucker with IBI Group, addressed the Committee respecting Request to Designate 323 Rymal Road East as a Class 4 Noise Area.

- (a) The delegation from Tracy Tucker with IBI Group respecting Request to Designate 323 Rymal Road East as a Class 4 Noise Area, was received.
- (b) Staff were directed to report back to the July 6, 2021 Planning Committee meeting respecting designating 323 Rymal Road East as a Class 4 Noise Area, which includes the necessary mitigation measures and warning clauses that are to be implemented at the Site Plan Approval process.

(ii) Jason Snyder respecting an Outdated Zoning Sign on Neighbouring Property (Added Item 6.2)

Jason Snyder addressed the Committee respecting an Outdated Zoning Sign on Neighbouring Property.

The delegation from Jason Snyder respecting an Outdated Zoning Sign on Neighbouring Property, was received.

In accordance with the *Planning Act*, Chair Danko advised those viewing the virtual meeting that the public had been advised of how to pre-register to be a virtual delegate at the Public Meetings on today's agenda.

In accordance with the provisions of the *Planning Act*, Chair Danko 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, Official Plan Amendment, Draft Plan of Condominium, and Draft Plan of Subdivision applications before the Committee today, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Land Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

(iii) Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 179, 181, 183, 185, 187, and 189 Catharine Street North, Hamilton (PED21119) (Ward 2) (Item 9.1)

No members of the public were registered as Delegations.

The staff presentation was waived.

Mike Crough with IBI Group, was in attendance and indicated support for the staff report.

The delegation from Mike Crough with IBI Group, was received.

The written submission from Brenna MacNaughton, expressing concerns with the application (Item 9.1(a)), was received.

The public meeting was closed.

- (a) That Amended Official Plan Amendment application UHOPA-20-015 by IBI Group (c/o Mike Crough), Agent, on behalf of Woven Quarter Properties Inc. (c/o Brendan Morley), Applicant, and Kathy and Zdenko Pokupec, Roman Acquisitions, and Alice Fam, Owners, to redesignate the subject lands from the “Low Density Residential” to “Medium Density Residential 1” with a Site Specific Policy Area on Schedule M-2: General Land Use of the West Harbour (Setting Sail) Secondary Plan in the City of Hamilton Official Plan, to permit three multiple dwellings containing a maximum of 45 units, and the adaptive re-use of the existing semi detached dwelling to contain a maximum of four dwelling units, for a total of 49 units on the subject lands with a maximum residential density of 155 units per gross hectare, for lands located at 179, 181, 183, 185, 187 and 189 Catharine Street North, as shown on Appendix “A” to Report PED21119, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED21119, be adopted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe 2019, as amended.
- (b) That Amended Zoning By-law Amendment application ZAC-20-027 by IBI Group (c/o Mike Crough), Agent, on behalf of Woven Quarter Properties Inc. (c/o Brendan Morley), Applicant, and Stanley, Kathy and Zdenko Pokupek, Roman Acquisitions, and Alice Fam, Owners, for a change in zoning from the “L-mr-2” (Planned Development) District to the “E-1/S-1809” – ‘H’ (Multiple Dwelling, Lodges, Clubs, etc.) District, Modified, Holding, to permit three multiple dwellings containing a maximum of 45 units, the conversion the existing semi detached dwelling into a 4 unit multiple dwellings for a total of 49 units on the subject lands with 43 underground parking spaces, for lands located at 179, 181, 183, 185, 187 and 189 Catharine Street North, as shown on Appendix “A” to Report PED21119, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED21119, 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 “C” to Report PED21119, be added to District Map No. E3 of Zoning By-law No. 6593 as “E-1/S-1809” – ‘H’;
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. ____; and,
 - (iv) That the amending By-law apply the Holding Provision 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 for the following:
 - 1. The Owner submit and receive completion of a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP) or enters into a conditional building permit agreement with respect to

- completing a Record of Site Conditions to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton's current RSC administration fee.
2. The Owner agrees in a Site Plan Agreement to implement all required noise mitigation measures identified in the Acoustical Study dated June 30, 2020 by IBI Group and updated December 22, 2020, to the satisfaction of the Director of Planning and Chief Planner.
 3. The Owner agrees in a Site Plan Agreement, to provide notice to any subsequent owner, as well as any prospective purchasers or tenants that the dwellings are located in a Class 4 area, and to agree to register this notice and any / all warning clauses on title, and include them in any purchase and sale and in any lease or rental agreement, to the satisfaction of the Director of Planning and Chief Planner.
 4. That a Conservation Plan for 187 - 189 Catharine Street North, Hamilton be submitted, approved and implemented through a Site Plan Agreement, all to the satisfaction of the Director of Planning and Chief Planner.
- (c) That Council deem the lands at 179, 181, 183, 185, 187 and 189 Catharine Street North (see Appendix "A" attached to Report PED21119) as a Class 4 Area pursuant to the Ministry of the Environment, Conservation and Parks' (MECP) Noise Guidelines NPC-300 (Stationary and Transportation Sources – Approval and Planning), and that the Class 4 area designation apply only to the development proposal attached as Appendix "D" attached to Report PED21119 with the requirement that all noise mitigation and warning clauses be secured through the Holding Provision attached to the implementing Zoning By-law as specified in Section iv) b) and c) outlined above.
- (d) That upon finalization of the amending By-law, the subject lands be redesignated from "Single and Double" and "Medium Density Apartments" to "Low Density Housing" in the Beasley Neighbourhood Plan.

The recommendations in Report PED21119 were **amended** by adding the following sub-section (e):

- (e) ***That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

Sub-section (z)(i) in Appendix “B” to Report PED21119 was **amended**, by adding wording, as follows:

- (z) That in addition to Section 18.(3)(vi)(d), the following special provisions shall apply as it relates to a minimum side yard setback for a porch and stairway from the easterly side lot line measuring 9.33 metres:
- (i) 4.3 metres shall be required for a porch and stairway ***located within 9.33 metres of the southerly side lot line measuring 21.06m.***

For disposition of this matter, refer to Item 5.

- (iv) **Application for a Zoning By-law Amendment for Lands Located at 321 Hatt Street, Dundas (PED21112) (Ward 13) (Item 9.2)**

No members of the public were registered as Delegations.

The staff presentation was waived.

Robert Russell with Robert Russell Planning Consultants Inc., was in attendance and indicated support for the staff report.

The delegation from Robert Russell with Robert Russell Planning Consultants Inc., was received.

The written submission from Sherri Moss, expressing concerns with the application (Item 9.2(a)), was received.

The public meeting was closed.

- (a) That Amended Zoning By-law Amendment application ZAR-20-036, by Robert Russell Planning Consultants Inc. on behalf of Ronald Bamford (Owner), for a change in zoning from the Single - Detached Residential Zone (R2) to the Low Density Residential Zone (R4/S-140), Modified, in order to permit the development of a semi detached dwelling on the property for the lands located at 321 Hatt Street, as shown on Appendix “A” to Report PED21112, be APPROVED, on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED21112, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), as amended, and complies with the Urban Hamilton Official Plan.

The recommendations in Report PED21112 were **amended** by adding the following sub-section (b):

- (b) *That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

For disposition of this matter, refer to Item 6.

- (v) Applications for Approval of a Draft Plan of Subdivision and Draft Plan of Condominium (Common Element) for Lands Located at 15 Picardy Drive, Stoney Creek (PED21121) (Ward 9) (Item 9.3)**

No members of the public were registered as Delegations.

The staff presentation was waived.

Tracy Tucker with IBI Group, was in attendance and indicated support for the staff report.

The delegation from Tracy Tucker with IBI Group, was received.

The written submission from Jose Medeiros, expressing concerns with the application (Item 9.3(a)), was received.

The public meeting was closed.

- (a) That Draft Plan of Subdivision application 25T-201903, by IBI Group, on behalf of Trillium Housing Highbury Non-Profit Corp., Owner to establish a Draft Plan of Subdivision on lands located at 15 Picardy Drive (Stoney Creek), as shown on Appendix "A", attached to Report PED21121, be APPROVED subject to the following conditions:
 - (i) That this approval applies to the Draft Plan of Subdivision application 25T-201903 prepared by A.T. McLaren Ltd., and certified by S.D. McLaren, O.L.S., dated March 8, 2019, consisting of two development blocks (Blocks 1 and 2) and one block (Block 3) that will be used for the future condominium road, visitor parking, landscaped areas and will be subject to an easement in favour of the lands to the

east at 56 Highland Road West for shared sanitary, storm and water services in addition to shared vehicular and pedestrian access, attached as Appendix “B” to Report PED21121;

- (ii) That the Special Conditions of Draft Plan of Subdivision Approval 25T-201903, attached as Appendix “C” to Report PED21121, be received and endorsed by City Council;
 - (iii) That payment of Cash-in-Lieu of Parkland be required, pursuant to Section 51 of the *Planning Act*, with the calculation of parkland payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, and in the case of multiple residential blocks, prior to the issuance of the first building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council; and,
 - (iv) That the Owner enter into a Standard Form, Subdivision Agreement, with Special Conditions attached as Appendix “C” to Report PED21121.
- (b) That Draft Plan of Condominium application 25CDM-201903, by IBI Group, on behalf of Trillium Housing Highbury Non-Profit Corp., Owner to establish a Draft Plan of Condominium (Common Element) to create a condominium road network, sidewalks, landscaped area, outdoor amenity areas, and centralized mailboxes, on lands located at 15 Picardy Drive (Stoney Creek), as shown on Appendix “A”, attached to Report PED21121, be APPROVED subject to the following conditions:
- (i) That this approval applies to the Draft Plan of Condominium application 25CDM-201903 prepared by A.T. McLaren Ltd., certified by S.D. McLaren, O.L.S., dated June 18, 2020, consisting of a private road network, sidewalks, landscaped areas, outdoor amenity areas, visitor parking areas and centralized mailboxes in favour of 28 maisonette dwellings and 43 townhouse dwellings, attached as Appendix “D” to Report PED21121; and,
 - (ii) That the conditions of Draft Plan of Condominium (Common Element) Approval 25CDM-201903, attached as Appendix “E” to Report PED21121, be received and endorsed by City Council.
- (c) That upon approval of the Draft Plan of Subdivision and the Draft Plan of Condominium, the subject lands be re-designated from

“Low Density Residential” to “Medium Density Residential” in the Felker Neighbourhood Plan.

The recommendations in Report PED21121 were **amended** by adding the following sub-section (d):

- (d) *That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

Appendix “C” to Report PED21121 was **amended**, by adding a new Condition, as follows:

- 5. *That, prior to registration, and at the Owner’s expense, the Owner shall submit a Landscape Plan prepared by a qualified landscape architect for Block 1 and which shall include evergreen tree plantings along the southern portion of Block 1 for enhanced visual screening, to the satisfaction of the Senior Director of Growth Management and the Director of Planning and Chief Planner.***

For disposition of this matter, refer to Item 7.

(f) NOTICES OF MOTION (Item 12)

- (i) Extension of Support for Businesses Operating Outdoors (Added Item 12.1)**

The Rules of Order were waived to allow for the introduction of a Motion respecting Extension of Support for Businesses Operating Outdoors.

For disposition of this matter, refer to Item 8.

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

- (i) General Manager’s Update (Added Item 13.1)**

Jason Thorne, General Manager of Planning and Economic Development addressed the Committee regarding the upcoming retirement of Paul Toffoletti, Development Coordinator, Growth Management; and advised that the Local Planning Appeal Tribunal (LPAT) has been renamed the Ontario Land Tribunal (OLT).

The General Manager’s update was received.

(h) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – June 1, 2021 (Item 14.1)

The Committee determined that discussion of Item 14.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

- (a) The Closed Session Minutes dated June 1, 2021 were approved, as presented; and,
- (b) The Closed Session Minutes dated June 1, 2021, are to remain private and confidential.

(i) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee adjourned at 11:37 p.m.

Councillor J.P. Danko
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator