



PLANNING COMMITTEE MINUTES

22-004

March 22, 2022

9:30 a.m.

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

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

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Hamilton Municipal Heritage Committee Report 22-002 (Item 7.1)

(Partridge/Pearson)

**(a) Register Listing Objections in Waterdown Village (PED21201(a))
(Ward 15) (Item 8.1)**

- (i) That Council receive the notices of objection, attached as Appendix "A" to Report 22-002 from the owners of 296 Dundas Street East, 362 Dundas Street East, 30 Elgin Street, 19 Flamboro Street and 280 Mill Street South, Flamborough, objecting to the notices of Council's decision to list the non-designated properties on the Municipal Heritage Register under Section 27 of the Ontario Heritage Act;
- (ii) That Council continue to include 296 Dundas Street East, 362 Dundas Street East, 30 Elgin Street and 280 Mill Street South, Flamborough, on the Municipal Heritage Register as non-designated properties that Council believes to be of cultural heritage value or interest, pursuant to Section 27(8) of the Ontario Heritage Act; and
- (iii) That Council remove 19 Flamboro Street, Flamborough, from the Municipal Heritage Register, pursuant to Section 27(8) of the Ontario Heritage Act.

(b) Recommendations for Designation under Part IV of the Ontario Heritage Act in Waterdown Village (PED21201(b)) (Ward 15) (Item 8.2)

- (a) That City Council state its intention to designate the following properties under Part IV, Section 29 of the Ontario Heritage Act:
- (i) 289 Dundas Street East, Flamborough (Smith-Carson House), in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, as outlined in Appendix “B” to Report 22-002;
 - (ii) 292 Dundas Street East, Flamborough (Maple Lawn), in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, as outlined in Appendix “C” to Report 22-002;
 - (iii) 298 Dundas Street East, Flamborough (Former New Connexion Church), in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, as outlined in Appendix “D” to Report 22-002;
 - (iv) 299 Dundas Street East, Flamborough (Crooker House), in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, as outlined in Appendix “E” to Report 22-002;
 - (v) 1 Main Street North, Flamborough (Royal Coachman/Former Kirk Hotel), in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, as outlined in Appendix “F” to Report 22-002;
 - (vi) 134 Main Street South, Flamborough (Former Wesleyan Methodist Parsonage), in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, as outlined in Appendix “G” to Report 22-002;
 - (vii) 8 Margaret Street, Flamborough (Reid House), in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, as outlined in Appendix “H” to Report 22-002;
- (b) That the City Clerk be directed to give Notices of Intention to designate the properties of cultural heritage value or interest in Recommendation (a) of Report PED21201(b), in accordance with

the requirements of Section 29 of the Ontario Heritage Act, subject to the following:

- (i) That issuance of the Notice of Intention to designate 299 Dundas Street East, Flamborough (Crooker House) be delayed to give the owner time to complete the alterations approved as part of Site Plan Control Application MDA-17-039, with the understanding that the City Clerk shall issue the Notice of Intention to designate upon completion of such alterations or earlier if the approved work has not been completed within a reasonable amount of time or if there is a threat or perceived threat to the heritage attributes of the property outside the scope of the approved work, as determined by the Director of Planning and Chief Planner;
 - (ii) For each property that receives no objections to the Notice of Intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
 - (iii) For each property that receives any objection to the Notice of Intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to report back to Council to allow Council to consider the objection and decide whether or not to withdraw the Notice of Intention to designate the property.
- (c) That 9 Main Street North, Flamborough (Village Fish and Chips), be removed from staff's designation work plan.
- (c) Heritage Easement Agreement Application HEA2022-001 for 159 Carlisle Road, Flamborough (Ward 15), Part IV Designation, By-law No. 2000-105-H and Heritage Easement Agreement WE996943 (PED22048) (Item 8.3)**

That Heritage Easement Agreement Application HEA2022-001, for the installation of a replacement metal roof consisting of metal shingles (Decra Shingle XD), for the lands located at 159 Carlisle Road, be APPROVED, subject to the following conditions:

- (i) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;

- (ii) Installation of the alterations, in accordance with this approval, shall be completed no later than January 31, 2024. If the alterations are not completed by January 31, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
- (iii) That appropriate notice of the Council decision be served on the owner of 159 Carlisle Road, Flamborough, as required under Section 3.2.1 of the Heritage Easement Agreement.

(d) Inventory and Research Working Group Meeting Notes - November 22, 2021 (Item 10.1)

- (a) 223 Governor's Road, Dundas (Item 1)

That the property at 223 Governor's Road, Dundas, be added to the Municipal Heritage Register.

(e) Notice of Intention to Demolish the Building located at 17 Church Street, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22052) (Ward 15) (Item 10.2)

That the Notice of Intention to Demolish the Building located at 17 Church Street, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22052) (Ward 15), be received.

(f) Notice of Intention to Demolish the Building at 97 John Street North, Hamilton, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22057) (Ward 2) (Item 10.3)

That the Notice of Intention to Demolish the Building at 97 John Street North, Hamilton, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22057) (Ward 2), be received.

(g) Inventory and Research Working Group Notes – January 24, 2022 (Added Item 10.4)

- (a) 1107 Main Street West (Grace Lutheran Church) (Item 1)

That 1107 Main Street West, Grace Lutheran Church, be added to the Municipal Heritage Register and to the staff work plan for heritage designation under the Ontario Heritage Act.

(h) Request for Participation in 2022 Doors Open Hamilton, by the Hamilton Municipal Heritage Committee (Item 13.3)

That members of the Hamilton Municipal Heritage Committee be permitted to participate in the upcoming 2022 Doors Open Hamilton, in keeping with the Committee's mandate to participate, where possible, in heritage events and activities.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

2. Annual Report on Building Permit Fees (PED22069) (City Wide) (Item 7.2)

(Wilson/Farr)

That Report PED22069 respecting the Annual Report on Building Permit Fees, be received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

3. Amendments to the Pool Enclosure By-law 16-184 (PED22067) (City Wide) (Item 7.3)

(Ferguson/Danko)

That the By-law, attached as Appendix "A" to Report PED22067 to amend City of Hamilton By-law No. 16-184, a By-law to Regulate Enclosures for Privately-Owned Outdoor Pools, which has been prepared in a form satisfactory to the City Solicitor, be enacted.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko

YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

4. Appeal of Urban Hamilton Official Plan Amendment and Zoning By-law Amendment Applications to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (PED22038) (Ward 2) (Item 7.4)

(Farr/Ferguson)

That Report PED22038 respecting the Appeal of Urban Hamilton Official Plan Amendment and Zoning By-law Amendment Applications to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton, be received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

5. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED22039) (City Wide) (Item 7.5)

(Danko/Wilson)

That Report PED22039 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED22039) (City Wide), be received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

6. City of Hamilton's Response to the Provincial Housing Affordability Task Force (HATF) Report (PED22071) (City Wide) (Item 7.6)

(Wilson/Danko)

- (a) That Council adopt the staff response to the Ministry of Municipal Affairs and Housing regarding the Provincial Housing Affordability Task Force Report; and,
- (b) That the Director of Planning and Chief Planner be authorized and directed to confirm the submission made to the Province, attached as Appendix "A" to Report PED22071.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7. Application to Amend Hamilton Zoning By-law No. 05-200 for Lands Located at 1040 Garner Road West, Ancaster (PED22059) (Ward 12) (Item 9.1)

(Ferguson/Pearson)

- (a) That Zoning By-law Amendment Application ZAC-21-030, by Urban Solutions Planning and Land Development c/o Matt Johnston on behalf of Garner Investments Inc., Owner, for a change in zoning from the Prestige Business Park (M3, 376, 678) Zone to the Prestige Business Park (M3, 376, 678, 771) Zone to modify the restaurant requirements applicable to the subject lands, as shown on Appendix "A" attached to Report PED22059, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix "B" to Report PED22059 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 Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan.

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

8. Waterdown Community Node Secondary Plan and Waterdown Community Transportation Management Plan (PED22001) (Ward 15) (Item 9.2)

(Partridge/Wilson)

- (a) That the Waterdown Community Node Secondary Plan be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22001, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That City Initiative CI-21-F, to implement the policy directions of the Waterdown Community Node Secondary Plan and associated Urban Design Guidelines, for lands located within the Waterdown Secondary Plan boundary, for:
- (i) Changes in zoning from the Urban Residential (Single Detached) “R1”, “R1-1”, “R1-2”, “R1-3”, “R1-5”, “R1-6”, “R1-13”, “R1-26”, “R1-61” Zones, the Core Area Residential “R5” and “R5-2” Zones and the Business District “BD-1” Zone in the former Township of Flamborough Zoning By-law No. 90-145-Z, to the Urban Residential (Single Detached) “R1-74”, “R1-74a”, “R1-74b”, “R1-74c”, “R1-74d”, “R1-74e”, “R1-74f”, “R1-74g” and “R1-74h” Zones and the Core Area Residential “R5”, “R5-2”, and “R5-3” and “R5-4” Zones, in the former Township of Flamborough Zoning By-law No. 90-145-Z;
 - (ii) Change in zoning from the Public Use “P” Zone in the former Township of Flamborough Zoning By-law No. 90-145-Z to the

Mixed Use Medium Density (C5, 752, 754) Zone in the City of Hamilton Zoning By-law No. 05-200;

- (iii) Change in zoning from the Mixed Use Medium Density – Pedestrian Focus (C5a) Zone in the City of Hamilton Zoning By-law No. 05-200 to the Core Area Residential “R5” Zone in the former Township of Flamborough Zoning By-law No. 90-145-Z;
- (iv) Changes in zoning from the Neighbourhood Commercial (C2, 593) Zone, the Mixed Use Medium Density (C5), (C5, 700) (C5, 573, 582) (C5, 582) Zones, the Mixed Use Medium Density – Pedestrian Focus (C5a) (C5a, 304) and (C5a, 695) Zones, the Neighbourhood Institutional (I1) Zone, and the Community Institutional (I2) Zone; to the Neighbourhood Commercial (C2, 593) Zone, modified, the Mixed Use Medium Density (C5, 752, 754), (C5, 752, 753), (C5, 752, 754, 755) and (C5, 582, 752, 754, 755), modified, Zones, the Mixed Use Medium Density - Pedestrian Focus (C5a, 700, 752), modified, (C5a, 752, 753), (C5a, 304, 752, 753), (C5a, 752, 754), (C5a, 573, 752, 754), modified, (C5a, 695, 752, 753), (C5a, 752, 754, 755), Zones, the Neighbourhood Institutional (I1, 756) Zone and the Community Institutional (I2, 757) Zone in the City of Hamilton Zoning By-law No. 05-200; as shown on Appendices “C” and “D” attached to Report PED22001, be APPROVED on the following basis:
 - (1) That the draft By-laws, attached as Appendices “C” and “D” to Report PED22001, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (2) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. XX;
- (c) That the Waterdown Community Node Urban Design Guidelines, attached as Appendix “E” to Report PED22001, be adopted;
- (d) That the Waterdown Community Node Cultural Heritage Review, attached as Appendix “F” to Report PED22001, be received, and that Planning and Economic Development Department staff be directed to prepare a capital budget submission for consideration as part of the 2023 Capital Budget, for a Heritage Conservation District Study as recommended by the Waterdown Secondary Plan Cultural Heritage Review attached as Appendix “F” to Report PED22001 and undertake the study at such time as budget approval is provided;

- (e) That the Waterdown Community Transportation Management Plan, attached as Appendix “G” to Report PED22001, be endorsed, and that:
 - (i) The General Manager of the Planning and Economic Development Department be authorized and directed to file the Waterdown Community Transportation Management Plan, attached as Appendix “G” to Report PED22001, with the Municipal Clerk for a minimum 30-day public review period;
 - (ii) Upon the completion of the 30-day public review, staff be authorized and directed to program the recommended projects identified in Appendix “H” of this Report for detailed design and implementation using funds under Project ID Account No. 4032017051, and to include the additional needed funds in future Capital Budget submissions;
- (f) That staff be authorized to undertake the necessary detailed feasibility and design studies and supporting Municipal Class Environment Assessment Studies as required, for the following recommended transportation improvement plans in Waterdown:
 - (i) The extension of Clappison Avenue from Parkside Drive to North Waterdown Drive;
 - (ii) An active transportation bridge across Grindstone Creek connecting Church Street to Margaret Street Park;
 - (iii) An active transportation bridge across the rail line from Sealy Park to the west side of Grindstone Creek, and a walkway through the south side of Mill Street South to the Smokey Hollow waterfall;
 - (iv) Rerouting of planned bike lanes from Dundas Street between Hamilton Street and the Dundas Street bridge, to traverse south on Hamilton Street, east on Barton Street, east on Griffin Street, to continue through the rear of existing properties on the east side of Mill Street South and connect to the future Dundas Street bridge sidewalk on the south side of Dundas Street;
- (g) That funding for the recommended four studies under item (f) above be considered as part of the 2023 Capital Budget planning process.
- (h) ***That the public submissions were received and considered by Committee in approving the application.***

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

9. Farm Labour Residence Discussion Paper (CI-22-E) (PED22002) (Wards 9, 10, 11, 12, 13 and 15) (Item 10.1)

(Ferguson/Pearson)

- (a) That the Farm Labour Residence Discussion Paper, attached as Appendix "A" to Report PED22002, be received;
- (b) That staff be directed and authorized to undertake public and stakeholder consult on the Farm Labour Residence Discussion Paper in Q2, 2022;
- (c) That staff report back to Planning Committee summarizing input from the public and stakeholder consult with recommended amendments to the Rural Hamilton Official Plan and Zoning By-law 05-200 in 2022;
- (d) That Item 21(L) respecting delegations respecting the Official Plan's Farm Labour House Policy be considered complete and removed from the Planning Committee's Outstanding Business List.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

10. Mohawk Dedicated Officer (PED18220(c)) (City Wide) (Item 10.2)

(Danko/Ferguson)

- (a) That the temporary Parking Control Officer (PCO) position approved by Council in September 2019 as part of the Mohawk Dedicated Officer Pilot be converted to a permanent Full Time Equivalent (FTE) staff position with a net cost of \$0;

- (b) Staff continue to maintain increased efforts in the Mohawk College Precinct while enabling greater flexibility for enhanced service provision across the City;
- (c) That the matter respecting Item 21G, that staff report back with results and recommendations following the 12-months at the end of Q1 2022 be identified as complete and removed from the Planning Committee Outstanding Business List.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

11. Discontinuation of Special Municipal Review Program for Cannabis Retail Store Applications (PED22054) (City Wide) (Item 10.3)

(Farr/Pearson)

- (a) That effective September 30, 2022, Staff be directed to discontinue the special municipal review program for Cannabis Retail Store applications as previously directed by Council through Report PED18249(a) on January 14, 2019;
- (b) That the responsibility for enforcing City By-laws with respect to Cannabis, be assumed through the City's regular By-Law enforcement and business licensing programs; and,
- (c) That subject to the approval of Recommendation (a) and (b), Licensing and By-law Services work with the City's Communication team to develop a local awareness campaign to educate residents and business owners on how to be notified and comment on new cannabis applications.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

12. Amendment to the Snow and Ice By-law (PED22064) (City Wide) (Item 10.4)

(Wilson/Danko)

- (a) That the draft By-law, attached as Appendix “A” to Report PED22064 to amend the Snow and Ice By-Law 03-296, to include a definition of “snow clearing”, be approved; and,
- (b) That this item be considered resolved and as such be removed from the Outstanding Business List.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

13. Reclassification of Ottawa Street Away From Major Arterial to Meet Current Use (Item 11.1)

(Wilson/Farr)

WHEREAS, the City’s Vision Zero Action Plan aims to achieve a safe system approach to prevention of death and/or life-changing injuries with the expressed necessary hierarchy of needs that places child pedestrians at the centre;

WHEREAS, Ottawa St serves as a vital community hub of pedestrian traffic to an elementary school, social and affordable housing, critical community supports serving indigenous residents, women, and seniors;

WHEREAS, Ottawa Street is a vital commercial corridor in Hamilton’s east end, serving as an essential commercial gateway for thousands of household and hundreds of retail and commercial businesses, and an increasing number of patios;

WHEREAS, Cannon Coffee and Laidlaw United Church have both had vehicles driven into their facades and multiple times in the case of Cannon Coffee creating financial hardship and disruptions to operations;

WHEREAS, Ottawa Street is exclusively residential south of Main Street;

WHEREAS, Ottawa Street is currently classified as major arterial road;

WHEREAS, the Hamilton brick works yard is no longer in operation and served as the basis for Ottawa Street remaining classified as a major arterial road;

THEREFORE BE IT RESOLVED

That staff from Transportation Planning be directed to review the current functional road classification for Ottawa Street in its entirety, taking into account the changing nature of Ottawa Street, goals of Vision Zero and Complete Streets, and report back to Planning Committee with recommended changes, a process and timelines for amending Schedule C Functional Road Classification of the Hamilton Urban Official Plan.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

14. Traymore Residence Demolition (Item 11.2)

(Wilson/Danko)

WHEREAS, McMaster University has received conditional site plan approval and is awaiting final sign off on the Delegated authority as per the Demolition Control By-Law and is currently working through site plan approvals;

WHEREAS, McMaster University has boarded up the vacant properties but continues to have untoward activity at the property that is uninhabitable; and,

WHEREAS, it is not appropriate to pursue repair or restoration of these buildings as prescribed by the Property Standards By-law or maintain the property on the Vacant Building Registry and demolition is appropriate;

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 43, 47, 51, and 55 Forsyth Avenue South; 75, 77, 81, 99, 103, 107, 111, and 115 Traymore Avenue; and 50 Dalewood Avenue, Hamilton, in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with conditions 6(a), (b), and (c) of the Demolition Control By-law 09-208.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko

YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

15. Enhanced Parks By-law - Encampment Enforcement (Item 11.3)

(Farr/Ferguson)

WHEREAS, on August 9, 2021, City Council voted to return to enforcing the prohibition of Camping in our City parks and public places and through our Parks Bylaw. A prohibition no different than any other municipality across the Province.

WHEREAS, the number of encampments more than doubled from approximately 20 to over 40 following the August 9th resolution with many encampments entrenched in public parks for months.

WHEREAS, on September 9, 2021, the Emergency and Community Services Committee received Information Report PED21188/HSC20038(c)—Encampment Response Update (copy attached) which outlined the Encampment Process implemented by City Staff;

WHEREAS, City Council is concerned that persons continue to camp in City parks in contravention of the Parks Bylaw and for extended periods - contrary to neighbouring municipalities where Park Bylaw enforcement is direct and takes a few days maximum if not sooner; and,

WHEREAS, City Council believes Hamilton should not be the only city with a Parks Bylaw enforcement process that results in both an increase in the number of encampments and the length of time encampments are located in a park or public space and should therefore facilitate the implementation of the Encampment Process to incorporate more precise timelines and direction into the Process consistent with similar processes implemented in other Ontario municipalities;

THEREFORE BE IT RESOLVED:

- (a) That Staff be directed to complete their activities under the Encampment Process, including notifying the Hamilton Police Service that a Trespass Notice has been issued, within 12 to 72 hours after staff receive the first complaint regarding unauthorized camping in a City park or public place;
- (b) That Staff be directed to enforce the Encampment Process 7 days per week; and,
- (c) That staff be directed to report on staff and feasibility service levels for encampment enforcement at the March 30th Council meeting.

Result: Motion CARRIED by a vote of 4 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
NO - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

16. Authorization to Apply for a Variance to a By-law for Lands Located at 206 King Street West (Item 11.4)

(Farr/Pearson)

WHEREAS Bill 73, *Smart Growth for our Communities Act*, 2015 placed a moratorium for minor variance applications within 2 years of passing a site specific zoning by-law amendment;

WHEREAS the application as presented in Report PED21038 for lands located at 206 King Street West was approved by Council on February 16, 2021 and is within the 2 year moratorium;

WHEREAS Council may waive this moratorium on a site specific basis, to allow the applicant to make an application to the Committee of Adjustment; and

WHEREAS the application as presented in Report PED21038 was approved to provide a 13 storey mixed use development with 37 structured parking spaces;

THEREFORE BE IT RESOLVED:

That Council of the City of Hamilton provide authorization to AJ Clarke and Associates to apply for minor variances to a site specific by-law approved within the last 2 years for lands located at 206 King Street West in order to address building setbacks and to permit a reduced parking stall size for a parking stacker system.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

17. Demolition Control By-law Exemption for Rapid Housing Initiative Modular Affordable Housing Project at 221-223 Charlton Ave E. (Added Item 11.5)

(Farr/Ferguson)

WHEREAS, Council at its meeting of April 14, 2021, approved Item 3 of the Emergency and Community Services Committee Report 21-003, regarding Report HSC2005(a) Support for Rapid Housing Initiative Affordable Housing Development Projects, thereby, approving the Corktown Co-Operative development of 17 units for Ontario Priorities Housing Initiative (OPHI) New Rental Housing Component Year 3 funding;

WHEREAS, Council at its meeting of November 24, 2021 item 6.6 amended Item 3 of the Emergency and Community Services Committee Report 21-003, respecting Report HSC2005(a) Support for Rapid Housing Initiative Affordable Housing Development Projects, which was approved by Council on April 14, 2021, to amend Corktown Co-Operative to read Charlton Co-Operative Inc;

WHEREAS on September 11, 2019, the City Council as a result of the approval of Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative (HSC19042(a)) authorized and directed the General Manager of the Healthy and Safe Communities Department ("GM") to execute all ancillary agreements and documents as may be required to deliver the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative programs, with content satisfactory to the GM and in a form satisfactory to the City Solicitor;

WHEREAS, the City must ensure a construction start of 221-223 Charlton Avenue East, affordable housing project within 120 day of entering into Ontario Priorities Housing Initiative (OPHI) New Rental Housing Component Year 3 funding as per program guidelines;

AND WHEREAS, the City and Charlton Housing Co-Operative Inc. entered Ontario Priorities Housing Initiative (OPHI) New Rental Housing Component Year 3 funding on December 23rd, 2021.

THEREFORE, BE IT RESOLVED THAT:

That the Chief Building Official be authorized and directed to exempt the 221-223 Charlton Avenue East affordable housing development project from Demolition Control By-law 09-208 sections 6(a), (b), and (c), in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of the Planning Act as amended of the to permit the issuance of a demolition permit in a timely manner.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko

YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

18. Taxi Fees - Amendment to By-law No. 07-170, a By-law to Licence and Regulate Various Businesses (Added Item 11.6)

(Pearson/Farr)

WHEREAS, the *Municipal Act, 2001* allows for the enactment of By-laws to licence, regulate, and govern businesses, and to impose conditions on obtaining, holding and keeping of licences to carry on such businesses;

WHEREAS, Council considers it in the public interest to enact a by-law to license regulate and govern various classes of businesses, under By-law 07-170 Being a By-law to Licence and Regulate Various Businesses;

WHEREAS, Schedule 25 of By-law 07-170 regulates and governs the Taxi Industry;

WHEREAS, Appendix 1 of Schedule 25 provides for Taxicab Tariff/Fares which sets the first 71.4 meters of a trip at \$3.90;

WHEREAS, the tariff and fares outlined in Appendix 1 of Schedule 25 have not been amended since 2013 when the average gas price was approximately \$1.28/L;

WHEREAS, the average gas price in 2022 has increased to approximately \$1.80/L;

WHEREAS, Licensing and By-law Services Staff are preparing a report to respond to the changes in the Taxi Industry with recommendations to Schedule 25 which will not be before the Planning Committee until Q3 2022.

THEREFORE BE IT RESOLVED:

- (a) That Appendix 1 of Schedule 25 be amended, and the Tariff/Fares increased to \$4.90; and,
- (b) That Licensing and By-law Services be directed to complete the public advertising and prepare the amendment to By-law 07-170 for the next Planning Committee meeting.

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

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

19. Instructions - Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (LS22007/PED22038(a)) (Ward 2) (14.2)

(Ferguson/Wilson)

- (a) That the directions to staff in closed session respecting Report LS22007/PED22038(a) be released to the public, following approval by Council; and,
- (b) That the balance of Report LS22007/PED22038(a) remain confidential.

Result: Motion CARRIED by a vote of 5 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
NO - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. COMMUNICATIONS (Item 5)

- 5.2 John and Brenda Ross, and Joel and Ilana Goldberg respecting the HATF Report (Item 7.6)

Recommendation: Be received and referred to the consideration of Item 7.6.

2. DELEGATION REQUESTS (Item 6)

- 6.3 Hardeep Singh Tada, respecting Taxi By-laws and Section 52 of

Schedule 25 - WITHDRAWN

6.5 Delegation Requests respecting Encampment Enforcement (Item 11.3)

- (i) Aggie Kwiatkowski
- (ii) Vic Wojciechowska
- (iii) Mohammed W. Shalalfeh
- (iv) Jim Quinn
- (v) Wynne Baker
- (vi) Theo Vittore
- (vii) Eric MacPherson
- (viii) James Lambert
- (ix) Eshan Merali
- (x) Sabreina Dahab
- (xi) Rebecca Morris-Miller
- (xii) Jillian Vieira
- (xiii) Sarah Imrisek
- (xiv) Alisha Atri
- (xv) Laura Katz
- (xvi) Sarah Jama
- (xvii) Joanna Aitcheson
- (xviii) Koral Wysocki
- (xix) Chelsea MacDonald - WITHDRAWN
- (xx) Tanya Collins
- (xxi) Deann McGlinchey
- (xxii) Spencer Naylor
- (xxiii) Ali Jones
- (xxiv) Don McLean
- (xxv) Matthew Higginson
- (xxvi) Montana Mellett
- (xxvii) Blake McCall
- (xxviii) Gabriel Baribeau
- (xxix) Mary Love
- (xxx) C.A. Klassen
- (xxxi) Rowa Mohamed
- (xxxii) Marcie Mcilveen
- (xxxiii) Jaydene Lavallie
- (xxxiv) Miriam Sager
- (xxxv) Becky Katz
- (xxxvi) Sarah Dawson
- (xxxvii) Mary Cep - WITHDRAWN
- (xxxviii) Rebecca Casalino
- (xxxix) Rachel More
- (xl) Nicole Tollenaar
- (xli) Grace Cameron
- (xlii) Nourhan Afify

- (xliii) Navin Garg
- (xliv) Birdie Thorne

(a) Added Written Submissions:

- (i) Joshua Weresch
- (ii) Megan Janssen
- (iii) Kara Jonegling

6.6 Delegations respecting 1107 Main Street West (Item 7.1, Recommendation 7) (For today's meeting)

- (i) David Falletta
- (ii) Dr. Sarah Sheehan

6.7 Viv Saunders, Lakewood Beach Community Council, respecting Site Plan Approval / Building Permit Issuance (For the April 5th meeting)

3. PUBLIC HEARINGS / DELEGATIONS (Item 9)

9.1 Application to Amend Hamilton Zoning By-law No. 05-200 for Lands Located at 1040 Garner Road West, Ancaster (PED22059) (Ward 12)

(a) Added Written Submission:

- (i) Nadia Hamilton

9.2 Waterdown Community Node Secondary Plan, Urban Design Guidelines, Implementing Zoning By-law Changes and Waterdown Community Transportation Management Plan (PED22001) (Ward 15)

(a) Added written Submissions

- (iii) Bell Canada
- (iv) Dana Anderson and Andrew Hannaford, MHBC
- (v) Mike Crough, IBI Group

4. NOTICES OF MOTIONS (Item 12)

12.1 Demolition Control By-law Exemption for Rapid Housing Initiative Modular Affordable Housing Project at 221-223 Charlton Ave E.

12.2 Taxi Fees - Amendment to By-law No. 07-170, a By-law to Licence and Regulate Various Businesses

(Pearson/Danko)

That the agenda for the March 22, 2022 Planning Committee 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 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Ferguson declared an interest with Item 12.2, Taxi Fees - Amendment to By-law No. 07-170, a By-law to Licence and Regulate Various Businesses as he is an investor in the taxi industry.

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

(i) February 15, 2022 (Item 4.1)

(Partridge/Farr)

That the Minutes of the February 15, 2022 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 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(d) COMMUNICATIONS (Item 5)

(i) Lakewood Beach Community Council respecting Area Specific Development Charges (Item 5.1)

(Danko/Pearson)

That the communication from Lakewood Beach Community Council respecting Area Specific Development Charges, be received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(ii) John and Brenda Ross, and Joel and Ilana Goldberg respecting the HATF Report (Item 7.6) (Added Item 5.2)

(Ferguson/Pearson)

That the communication from John and Brenda Ross, and Joel and Ilana Goldberg respecting the HATF Report (Item 7.6), be received and referred to the consideration of Item 7.6, City of Hamilton's Response to the Provincial Housing Affordability Task Force (HATF).

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(e) DELEGATION REQUESTS (Item 6)

(i) Delegation Requests (Item 6.1 - 6.7)

(Partridge/Danko)

That the following Delegation Requests be approved:

- 6.1 Ryan Ferrari, AJ Clarke and Associates respecting Request for Minor Variance for 206 King Street West (for today's meeting), to be heard after Item 10.4.
- 6.2 John Matas respecting a Demolition Permit for 474-476 James Street North (for the April 5th meeting).
- 6.4 Wasem Sayed respecting Taxi By-laws and Section 52 of Schedule 25 (for today's meeting), to be heard after Item 10.4.

6.5 Delegation Requests respecting Encampment Enforcement (for today's meeting), to be heard after Item 10.4:

- (i) Aggie Kwiatkowski
- (ii) Vic Wojciechowska
- (iii) Mohammed W. Shalalfeh
- (iv) Jim Quinn
- (v) Wynne Baker
- (vi) Theo Vittore
- (vii) Eric MacPherson
- (viii) James Lambert
- (ix) Eshan Merali
- (x) Sabreina Dahab
- (xi) Rebecca Morris-Miller
- (xii) Jillian Vieira
- (xiii) Sarah Imrisek
- (xiv) Alisha Atri
- (xv) Laura Katz
- (xvi) Sarah Jama
- (xvii) Joanna Aitcheson
- (xviii) Koral Wysocki
- (xx) Tanya Collins
- (xxi) Deann McGlinchey
- (xxii) Spencer Naylor
- (xxiii) Ali Jones
- (xxiv) Don McLean
- (xxv) Matthew Higginson
- (xxvi) Montana Mellett
- (xxvii) Blake McCall
- (xxviii) Gabriel Baribeau
- (xxix) Mary Love
- (xxx) C.A. Klassen
- (xxxi) Rowa Mohamed
- (xxxii) Marcie Mcilveen
- (xxxiii) Jaydene Lavallie
- (xxxiv) Miriam Sager
- (xxxv) Becky Katz
- (xxxvi) Sarah Dawson
- (xxxviii) Rebecca Casalino
- (xxxix) Rachel More
- (xl) Nicole Tollenaar
- (xli) Grace Cameron
- (xlii) Nourhan Afify
- (xliii) Navin Garg
- (xliv) Birdie Thorne

(a) Added Written Submissions:

- (i) Joshua Weresch
- (ii) Megan Janssen
- (iii) Kara Jonegling

6.6 Delegations respecting 1107 Main Street West (Item 7.1) (for today's meeting), to be heard before Item 7.1:

- (i) David Falletta
- (ii) Dr. Sarah Sheehan

6.7 Viv Saunders, Lakewood Beach Community Council, respecting Site Plan Approval / Building Permit Issuance (for the April 5th meeting).

Result: Motion CARRIED by a vote of 6 to 1, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 15 Councillor Judi Partridge
- NO - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

(f) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Delegations respecting 1107 Main Street West (Item 7.1) (Added Item 9.3)

The following delegations addressed the Committee respecting 1107 Main Street West (Item 7.1):

- (i) David Falletta
- (ii) Dr. Sarah Sheehan

(Danko/Pearson)

That the following Delegations respecting 1107 Main Street West (Item 7.1), be received:

- (i) David Falletta
- (ii) Dr. Sarah Sheehan

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

- YES - Ward 1 Councillor Maureen Wilson

YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 1.

In accordance with the *Planning Act*, Chair Johnson 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 Johnson 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 proposed By-law Amendments and Development 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.

(ii) Application to Amend Hamilton Zoning By-law No. 05-200 for Lands Located at 1040 Garner Road West, Ancaster (PED22059) (Ward 12) (Item 9.1)

No members of the public were registered as Delegations.

(Ferguson/Partridge)

That the staff presentation be waived.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

Matt Johnston with Urban Solutions, was in attendance and indicated support for the staff report.

(Ferguson/Pearson)

That the delegation from Matt Johnston with Urban Solutions, be received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Ferguson/Pearson)

That the following written submissions (Item 9.1(a)), be received:

- (i) Nadia Hamilton – In Opposition

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Ferguson/Pearson)

That the public meeting be closed.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Ferguson/Pearson)

- (a) That Zoning By-law Amendment Application ZAC-21-030, by Urban Solutions Planning and Land Development c/o Matt Johnston on behalf of Garner Investments Inc., Owner, for a change in zoning from the Prestige Business Park (M3, 376, 678) Zone to the Prestige Business Park (M3, 376, 678, 771) Zone to modify the restaurant requirements applicable to the subject lands, as shown

on Appendix “A” attached to Report PED22059, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED22059 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 Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan.

(Ferguson/Pearson)

That the recommendations in Report PED22059 be **amended** by adding the following sub-section (b):

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

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 7.

- (iii) Waterdown Community Node Secondary Plan and Waterdown Community Transportation Management Plan (PED22001) (Ward 15) (Item 9.2)**

No members of the public were registered as Delegations.

The Committee was provided with presentations on this matter by Melanie Pham, Senior Planner – Introduction and background; Steve Molloy, Manager of Transportation Planning – Waterdown Community Transportation Management Plan; Kristina Martens, Archaeological Services Inc. – Waterdown Cultural Heritage Review; Nathan Flach, Brook McIlroy Consultants – Waterdown Community Node Urban Design.

(Partridge/Wilson)

That the above staff and consultants' presentations, be received.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

(Partridge/Wilson)

That the following written submissions (9.2(a)), be received:

- (i) Matt Johnston and Scott Beedie, Urban Solutions – in Support of Proposal
- (ii) Ruth Victor – Concerns with Proposal
- (iii) Bell Canada – Comments on Conditions
- (iv) Dana Anderson and Andrew Hannaford, MHBC – in Support of Proposal
- (v) Mike Crough, IBI Group – Concerns with Proposal

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

(Partridge/Wilson)

That the public meeting be closed.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

(Partridge/Wilson)

- (a) That the Waterdown Community Node Secondary Plan be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22001, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That City Initiative CI-21-F, to implement the policy directions of the Waterdown Community Node Secondary Plan and associated Urban Design Guidelines, for lands located within the Waterdown Secondary Plan boundary, for:
 - (i) Changes in zoning from the Urban Residential (Single Detached) “R1”, “R1-1”, “R1-2”, “R1-3”, “R1-5”, “R1-6”, “R1-13”, “R1-26”, “R1-61” Zones, the Core Area Residential “R5” and “R5-2” Zones and the Business District “BD-1” Zone in the former Township of Flamborough Zoning By-law No. 90-145-Z, to the Urban Residential (Single Detached) “R1-74”, “R1-74a”, “R1-74b”, “R1-74c”, “R1-74d”, “R1-74e”, “R1-74f”, “R1-74g” and “R1-74h” Zones and the Core Area Residential “R5”, “R5-2”, and “R5-3” and “R5-4” Zones, in the former Township of Flamborough Zoning By-law No. 90-145-Z;
 - (ii) Change in zoning from the Public Use “P” Zone in the former Township of Flamborough Zoning By-law No. 90-145-Z to the Mixed Use Medium Density (C5, 752, 754) Zone in the City of Hamilton Zoning By-law No. 05-200;
 - (iii) Change in zoning from the Mixed Use Medium Density – Pedestrian Focus (C5a) Zone in the City of Hamilton Zoning By-law No. 05-200 to the Core Area Residential “R5” Zone in the former Township of Flamborough Zoning By-law No. 90-145-Z;
 - (iv) Changes in zoning from the Neighbourhood Commercial (C2, 593) Zone, the Mixed Use Medium Density (C5), (C5, 700) (C5, 573, 582) (C5, 582) Zones, the Mixed Use Medium Density – Pedestrian Focus (C5a) (C5a, 304) and (C5a, 695) Zones, the Neighbourhood Institutional (I1) Zone, and the Community Institutional (I2) Zone; to the Neighbourhood

Commercial (C2, 593) Zone, modified, the Mixed Use Medium Density (C5, 752, 754), (C5, 752, 753), (C5, 752, 754, 755) and (C5, 582, 752, 754, 755), modified, Zones, the Mixed Use Medium Density - Pedestrian Focus (C5a, 700, 752), modified, (C5a, 752, 753), (C5a, 304, 752, 753), (C5a, 752, 754), (C5a, 573, 752, 754), modified, (C5a, 695, 752, 753), (C5a, 752, 754, 755), Zones, the Neighbourhood Institutional (I1, 756) Zone and the Community Institutional (I2, 757) Zone in the City of Hamilton Zoning By-law No. 05-200; as shown on Appendices “C” and “D” attached to Report PED22001, be APPROVED on the following basis:

- (1) That the draft By-laws, attached as Appendices “C” and “D” to Report PED22001, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (2) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. XX;
- (c) That the Waterdown Community Node Urban Design Guidelines, attached as Appendix “E” to Report PED22001, be adopted;
 - (d) That the Waterdown Community Node Cultural Heritage Review, attached as Appendix “F” to Report PED22001, be received, and that Planning and Economic Development Department staff be directed to prepare a capital budget submission for consideration as part of the 2023 Capital Budget, for a Heritage Conservation District Study as recommended by the Waterdown Secondary Plan Cultural Heritage Review attached as Appendix “F” to Report PED22001 and undertake the study at such time as budget approval is provided;
 - (e) That the Waterdown Community Transportation Management Plan, attached as Appendix “G” to Report PED22001, be endorsed, and that:
 - (i) The General Manager of the Planning and Economic Development Department be authorized and directed to file the Waterdown Community Transportation Management Plan, attached as Appendix “G” to Report PED22001, with

the Municipal Clerk for a minimum 30-day public review period;

- (ii) Upon the completion of the 30-day public review, staff be authorized and directed to program the recommended projects identified in Appendix “H” of this Report for detailed design and implementation using funds under Project ID Account No. 4032017051, and to include the additional needed funds in future Capital Budget submissions;
- (f) That staff be authorized to undertake the necessary detailed feasibility and design studies and supporting Municipal Class Environment Assessment Studies as required, for the following recommended transportation improvement plans in Waterdown:
 - (i) The extension of Clappison Avenue from Parkside Drive to North Waterdown Drive;
 - (ii) An active transportation bridge across Grindstone Creek connecting Church Street to Margaret Street Park;
 - (iii) An active transportation bridge across the rail line from Sealy Park to the west side of Grindstone Creek, and a walkway through the south side of Mill Street South to the Smokey Hollow waterfall;
 - (iv) Rerouting of planned bike lanes from Dundas Street between Hamilton Street and the Dundas Street bridge, to traverse south on Hamilton Street, east on Barton Street, east on Griffin Street, to continue through the rear of existing properties on the east side of Mill Street South and connect to the future Dundas Street bridge sidewalk on the south side of Dundas Street;
- (g) That funding for the recommended four studies under item (f) above be considered as part of the 2023 Capital Budget planning process.

(Partridge/Wilson)

That the recommendations in Report PED22021 be **amended** by adding the following sub-section (h):

- (h) ***That the public submissions were received and considered by Committee in approving the application.***

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 8.

(Farr/Pearson)

That the Committee recess from 12:55 p.m. to 1:15 p.m.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(iv) Ryan Ferrari, AJ Clarke and Associates respecting Request for Minor Variance for 206 King Street West (Item 11.4) (Item 9.4)

Ryan Ferrari, AJ Clarke and Associates, addressed the Committee respecting Request for Minor Variance at 206 King Street West (Item 11.4).

(Farr/Wilson)

That the delegation from Ryan Ferrari, AJ Clarke and Associates, respecting Request for Minor Variance at 206 King Street West (Item 11.4), be received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 16.

(v) Wasem Sayed respecting Taxi By-laws and Section 52 of Schedule 25 (Item 9.5)

The delegate was not in attendance when called upon.

(vi) Delegations respecting Encampment Enforcement (Item 11.3) (Added Item 9.6)

The following delegations (Added Item 9.6) were not in attendance when called upon:

- (i) Aggie Kwiatkowski
- (iii) Mohammed W. Shalalfeh
- (xi) Rebecca Morris-Miller
- (xviii) Koral Wysocki
- (xxxviii) Rebecca Casalino
- (xl) Nicole Tollenaar

The delegations listed below addressed the Committee respecting Encampment Enforcement (Item 11.3).

(Farr/Wilson)

That the following delegations respecting Encampment Enforcement (Item 11.3), be received:

- (ii) Vic Wojciechowska
- (iv) Jim Quinn
- (v) Wynne Baker
- (vi) Theo Vittore
- (vii) Eric MacPherson
- (viii) James Lambert
- (ix) Eshan Merali
- (x) Sabreina Dahab
- (xii) Jillian Vieira
- (xiii) Sarah Imrisek
- (xiv) Alisha Atri
- (xv) Laura Katz
- (xvi) Sarah Jama
- (xvii) Joanna Aitcheson
- (xx) Tanya Collins
- (xxi) Deann McGlinchey
- (xxii) Spencer Naylor
- (xxiii) Ali Jones
- (xxiv) Don McLean
- (xxv) Matthew Higginson
- (xxvi) Montana Mellett
- (xxvii) Blake McCall

- (xxviii) Gabriel Baribeau
- (xxix) Mary Love
- (xxx) C.A. Klassen
- (xxxi) Rowa Mohamed
- (xxxii) Marcie Mcilveen
- (xxxiii) Jaydene Lavallie
- (xxxiv) Miriam Sager
- (xxxv) Becky Katz
- (xxxvi) Sarah Dawson
- (xxxix) Rachel More
- (xli) Grace Cameron
- (xlii) Nourhan Afify
- (xlili) Navin Garg
- (xliv) Birdie Thorne

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 2 Councillor Jason Farr
- NOT PRESENT - Ward 15 Councillor Judi Partridge
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

(Farr/Wilson)

That the following Written Submissions (Item 9.5(a)) respecting Encampment Enforcement, be received:

- (i) Joshua Weresch
- (ii) Megan Janssen
- (iii) Kara Jonegling

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 2 Councillor Jason Farr
- NOT PRESENT - Ward 15 Councillor Judi Partridge
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 15.

(g) NOTICES OF MOTIONS (Item 12)

(i) Demolition Control By-law Exemption for Rapid Housing Initiative Modular Affordable Housing Project at 221-223 Charlton Ave E. (Added Item 12.1)

Councillor Farr presented a Notice of Motion respecting Demolition Control By-law Exemption for Rapid Housing Initiative Modular Affordable Housing Project at 221-223 Charlton Ave E.

(Farr/Ferguson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Demolition Control By-law Exemption for Rapid Housing Initiative Modular Affordable Housing Project at 221-223 Charlton Ave E.

Result: Motion CARRIED by 2/3's vote of 6 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 17.

(ii) Amendment to By-law No. 07-170, a By-law to Licence and Regulate Various Businesses (Added Item 12.2)

Councillor Pearson presented a Notice of Motion respecting Amendment to By-law No. 07-170, a By-law to Licence and Regulate Various Businesses.

(Pearson/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Amendment to By-law No. 07-170, a By-law to Licence and Regulate Various Businesses.

Result: Motion CARRIED by a 2/3's vote of 5 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 18.

(h) 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 respecting the return to workplace plan and to introduce the new Director of Growth Management, Ashraf Hanna.

(Pearson/Danko)

That the General Manager's Update, be received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(i) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – February 15, 2022 (Item 14.1)

(Ferguson/Pearson)

(a) That the Closed Session Minutes dated February 15, 2022, be approved as presented; and,

(b) That the Closed Session Minutes dated February 15, 2022,

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Farr/Wilson)

That Committee move into Closed Session Pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(ii) Instructions - Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (LS22007/PED22038(a)) (Ward 2) (14.2)

For disposition of this matter, refer to Item 19.

(j) ADJOURNMENT (Item 15)

(Danko/Pearson)

That there being no further business, the Planning Committee be adjourned at 7:17 p.m.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

Councillor B. Johnson
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator