



PLANNING COMMITTEE MINUTES

22-006

April 25, 2022

9:30 a.m.

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

Present: Councillor L. Ferguson (Acting Chair),
Councillors M. Wilson (2nd Vice Chair),
M. Pearson, J. Farr, J.P. Danko and J. Partridge

Absent with Regrets: Councillor B. Johnson - Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED22085) (City Wide) (Item 7.1)**

(Pearson/Wilson)

That Report PED22085 respecting the Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

- 2. Hamilton-Oshawa Port Authority - City of Hamilton Liaison Committee Report 22-001 (Item 7.3)**

(Pearson/Danko)

(a) Election of Co-Chairs for 2022 (Item 1.1)

- (i)** That Councillor J. Partridge be appointed Co-Chair of the Hamilton-Oshawa Port Authority - City of Hamilton Liaison Committee for 2022; and

- (ii) That A. Waldes be appointed Co-Chair of the Hamilton-Oshawa Port Authority - City of Hamilton Liaison Committee for 2022.

(b) Committee Terms of Reference (Item 10.1)

That the Committee's Terms of Reference be reviewed at a future meeting, to be scheduled in June 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
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT- Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

3. Agriculture and Rural Affairs Advisory Committee Report 22-001 (Item 7.4)

(Wilson/Partridge)

(a) Normal Farm Practice Peer Review by the Agricultural and Rural Affairs Advisory Committee (Item 9.1)

- (i) That the Planning Committee establish an Agricultural Site Alteration Application Review Working Group of the Agricultural and Rural Affairs Advisory Committee;
- (ii) That the Agricultural Site Alteration Application Review Working Group be comprised of the following Members:
 - (i) Dale Smith
 - (ii) Drew Spoelstra
 - (iii) Cathy McMaster
 - (iv) Mel Switzer
 - (v) Gavin Smuk
- (iii) That the Planning Committee direct staff to investigate implementing a per diem, comparable to that of the Committee of Adjustment, in a future report to the Planning Committee respecting the Site Plan Alteration By-law.

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

4. Hamilton Municipal Heritage Committee Report 22-003 (Added Item 7.5)

(Pearson/Farr)

(a) Recommendation to Remove 8 Renwood Place, Flamborough from the Municipal Heritage Register (PED21201(c)) (Ward 15) (Added Item 7.4)

- (i) That Council receive the notice of objection, attached as Appendix "A" to Report 22-003, from the owner of 8 Renwood Place, Flamborough, objecting to the notice of Council's decision to list the non-designated property on the Municipal Heritage Register under Section 27 of the Ontario Heritage Act; and
- (ii) That Council remove 8 Renwood Place, Flamborough, from the Municipal Heritage Register, pursuant to Section 27(8) of the Ontario Heritage Act.

(b) Heritage Permit Application HP2021-038, Under Part IV of the Ontario Heritage Act, for a Replacement Front Door and Side Lite Windows and Wood Profile, Related Repairs and Conservation of Transom Window, and Retroactive Approval of Replacement Windows, at 24 Griffin Street, Flamborough, Part IV Designation (PED22072) (Ward 15) (Item 8.2)

That Heritage Permit Application HP2021-038, for a replacement front door and side lite windows and wood profile, related repairs and conservation of the front transom window, and retroactive approval of replacement windows, for the lands located at 24 Griffin Street, 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) Implementation of alterations, in accordance with this approval, shall be completed no later than February 28, 2024. If the alterations are not completed by February 28, 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 24 Griffin Street, Flamborough, and the Ontario Heritage Trust, as required under Section 33 of the Ontario Heritage Act;
- (iv) That the property located at 24 Griffin Street, Flamborough be added to the Staff Work Plan for Heritage Designation – Amending a Municipal By-law Under the Ontario Heritage Act as a medium priority.

(c) Inventory and Research Working Group Meeting Notes - January 24, 2022 (Item 10.1)

- (i) 2 Dartnall Road (Binbrook Feed Station (Item 1)

That the property located at 2 Dartnall Road (Binbrook Feed Station) be added to the Municipal Heritage Register and to the staff work plan for heritage designation under the Ontario Heritage Act as a low priority.

- (ii) 10 Dartnall Road (Ancaster Co-Op) (Item 2)

That the property located at 10 Dartnall Road (Ancaster Co-Op) be added to the Municipal Heritage Register.

(d) Inventory and Research Working Group Meeting Notes - March 28, 2022 (Added Item 10.2)

- (i) That 265 Mill Street South, Flamborough (Waterdown), be added to the staff work plan for heritage designation under the Ontario Heritage Act as a low priority;
- (ii) That the staff be directed to implement the conservation of internal and external heritage features of the building identified in the CHIA through a conservation plan and employing appropriate zoning and site plan policies, procedures and processes; and
- (iii) That the property be designated when construction is completed.

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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

**5. Non-Decision Appeals to the Ontario Land Tribunal (2018 to 2022)
(LS22021) (City Wide) (Added Item 7.6)**

(Wilson/Danko)

That Report LS22021 respecting Non-Decision Appeals to the Ontario Land Tribunal (2018 to 2022), 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

6. Applications for an Amendment to the City of Flamborough Zoning By-law No. 90-145-Z and City of Hamilton Zoning By-law No. 05-200 and Draft Plan of Subdivision for Lands Located at 655 Cramer Road, Flamborough (PED22061) (Ward 13) (Item 9.2)

(Wilson/Partridge)

(a) That Zoning By-law Amendment Application ZAC-17-064, by 1376412 Ontario Ltd. c/o Zeina Homes, (Owner), for a change in zoning from Settlement Residential "R2-14(H)", Modified – Holding Zone to a site specific Settlement Residential "R2" Zone, Modified, and the Conservation / Hazard Land (P5) Zone, for lands located at 655 Cramer Road, as shown on Appendix "A" attached to Report PED22061, be DENIED on the following basis:

- (i) That the proposal is not consistent with the Provincial Policy Statement (PPS);
- (ii) The proposal does not comply with the Provincial D-6 Guidelines: Compatibility Between Industrial Facilities;
- (iii) The proposal does not comply with the Growth Plan for the Greater Golden Horseshoe (2020);
- (iv) The proposal does not comply with the Settlement Residential policies under the Greensville Rural Settlement Area Plan of the Rural Hamilton Official Plan;
- (v) The proposal is not consistent with the Greenbelt Plan (2017).

- (b) That Draft Plan of Subdivision Application 25T-201710 by 1376412 Ontario Ltd. c/o Zeina Homes, (Owner), to establish a Draft Plan of Subdivision in order to permit 18 residential lots, one stormwater management pond and three public roadways (one new proposed road and two extensions of existing public roads) for lands located at 655 Cramer Road, as shown on Appendix “B” attached to Report PED22061, be DENIED on the following basis:
- (i) The proposal is not consistent with the Land Use Compatibility Policy under the Provincial Policy Statement (PPS);
 - (ii) The proposal does not comply with the Employment policy under the Growth Plan for the Greater Golden Horseshoe (2020);
 - (iii) The proposal is not consistent with the Greenbelt Plan;
 - (iv) The proposal does not comply with the Settlement Residential policies of the Greensville Rural Settlement Area Plan and the policies for the approval of a Plan of Subdivision in the Rural Hamilton Official Plan;
 - (v) The proposal does comply with criteria relating to matters of health, safety and welfare of the present and future inhabitants as per Section 51(24) of the *Planning Act*.
- (c) ***That the public submissions were received and considered by the Committee in denying the application.***

Result: Main Motion, As Amended, 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7. Application for Approval of a Draft Plan of Subdivision for Lands Located at 179, 183, and 187 Wilson Street West, Ancaster (PED22081) (Ward 12) (Item 9.3)

(Ferguson/Pearson)

- (a) That Draft Plan of Subdivision Application 25T-202110, by Wilson West Development Corporation c/o Brandon Campbell, owner, to establish a

Draft Plan of Subdivision on lands located at 179, 183, and 187 Wilson Street West (Ancaster), as shown on Appendix “A” attached to Report PED22081, be APPROVED subject to the following conditions:

- (i) That this approval applies to the Draft Plan of Subdivision Application 25T-202110 prepared by A. T. McLaren Limited and certified by S. Dan McLaren, O.L.S. dated July 7, 2021, consisting of two blocks (Blocks 1 and 2) subject to the owner entering into a Standard Form Subdivision Agreement as approved by City Council attached as Appendix “B” to Report PED22081;
- (ii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202110, attached as **REVISED** Appendix “C” to Report PED22081, be received and endorsed by City Council;

Waste Collection:

11. That prior to registration of the plan of subdivision, the owner / developer shall include in all offers of purchase and sale and lease or rental agreements warning clauses indicating that an assigned waste collection pad may be provided for Units 14, 15, 16, and 17 of Block 3, Units 18, 19, 20, 21 and 22 of Block 4, Unit 13 of Block 2 and Unit 23 of Block 5 (for unit and block reference please refer to Appendix “E” of PED22081).

- (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;
- (iv) That in accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017), there will be no cost sharing within the Draft Plan of Subdivision lands.

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

Result: Main Motion, As Amended, 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

8. Application for a Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 525 Rymal Road West, Hamilton (PED22083) (Ward 14) (Item 9.4)

(Pearson/Wilson)

- (a) That Zoning By-law Amendment Application ZAC-20-044 by A.J. Clarke and Associates c/o Stephen Fraser, on behalf of 2713128 Ontario Inc. c/o Loan Nguyen and Kevin Poursina, Owner, for a change in zoning from the "AA" (Agricultural) District to the "RT-30/S-1817" (Street - Townhouse) District, Modified (Block 1) and from the "AA" (Agricultural) District to the "C/S-1817" (Urban Protected Residential, etc.) District, Modified, (Block 2), to permit the lands to be developed for six street townhouses and one single detached dwelling, on lands located at 525 Rymal Road West, as shown on Appendix "A" attached to Report PED22083, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix "B" attached to Report PED22083, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and comply with the Urban Hamilton Official Plan (UHOP);
- (b) That Draft Plan of Subdivision Application 25T-202010 by A.J. Clarke and Associates c/o Stephen Fraser, on behalf of 2713128 Ontario Inc. c/o Loan Nguyen and Kevin Poursina, Owner, to establish a Draft Plan of Subdivision on lands located at 525 Rymal Road West, as shown on Appendix "E" attached to Report PED22083, be APPROVED on the following basis:
- (i) That this approval applies to the Draft Plan of Subdivision Application 25T-202010 prepared by A. J. Clarke and Associates Ltd. and certified by Nicholas P. Muth, O.L.S. dated July 5, 2021, consisting of one block (Block 8), and seven lots (Lots 1-7), subject to the owner entering into a Standard Form Subdivision Agreement as approved by City Council, attached as Appendix "E" to Report PED22083;

- (ii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202010, attached as Appendix “F” to Report PED22083, 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;
 - (iv) That in accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017), there will be no cost sharing within the Draft Plan of Subdivision lands;
- (c) That upon finalization of the amending By-law, the subject lands shown as Block “1” on Appendix “A” attached to Report PED22083 be re-designated from “Single and Double” to “Attached Housing” in the Carpenter Neighbourhood Plan.
- (d) *That the public submissions regarding this matter were received and considered by the Committee in denying the application.***

Result: Main Motion, As Amended, CARRIED by a vote of 6 to , 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
- NOT PRESENT- Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

9. Application for a Zoning By-law Amendment for Lands Located at 866 West 5th Street, Hamilton (PED22090) (Ward 8) (Item 9.5)

(Danko/Pearson)

- (a) That Amended Zoning By-law Amendment Application ZAC-21-036 by Urban Solutions Planning and Land Development Consultants Inc. c/o Matt Johnston on behalf of Angros Enterprises Ltd. c/o Victor Fontana, owner, for a change in zoning from the "AA" (Agricultural) District and from the “C” (Urban Protected Residential, etc.) District to the "RT-30/S-1818" (Street - Townhouse) District, Modified, to permit the lands to be developed for nine street townhouses on lands located at 866 West 5th

Street, as shown as Blocks 1 and 2 on Appendix “A” attached to Report PED22090, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” attached to Report PED22090, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and comply with the Urban Hamilton Official Plan (UHOP);
- (b) That upon finalization of the amending By-law, the subject lands be re-designated from “Single and Double” to “Attached Housing” in the Gourley Neighbourhood Plan.
- (c) ***That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

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

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

10. Status Update for Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 442, 450, 454 and 462 Wilson Street East (Ancaster) (PED22037(a)) (Ward 12) (Item 10.1)

(Partridge/Ferguson)

That Report PED22037(a) respecting Status Update for Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 442, 450, 454 and 462 Wilson Street East, 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
YES - Ward 15 Councillor Judi Partridge

YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

11. Demolition Control and Heritage (PED22093) (City Wide) (Item 10.2)

(Partridge/Ferguson)

That the Demolition Control Area By-Law attached as Appendix "A" to Report PED22093, which repeals and replaces the existing Demolition Control Area By-Law No. 09-208 and its amending By-Law No. 13-185, be approved.

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

12. Taxi Meter Rate Increase (PED22105) (City Wide) (Item 10.3)

(Pearson/Farr)

- (a) That Appendix 1 (Taxicab Tariff/Fares) of Schedule 25 (Taxi Cabs) of the Licensing By-law 07-170 be amended to identify that *the first 71.4 meters or part thereof* be set to \$4.90; and,
- (b) That the draft By-law attached as Appendix "A" to Report PED22105 to amend the City of Hamilton's By-Law 07-170 which has been prepared in a form satisfactory to the City Solicitor, be enacted.

Result: Motion CARRIED by a vote of 3 to 1, as follows:

NO - 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
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

13. Demolition Permit for 73 and 77 Stone Church Road West and 1029 West 5th Street - Demolition of Three Single Family Dwellings in Preparation for new Development (Item 11.1)

(Danko/Pearson)

WHEREAS the owner has received conditional site plan approval and is currently working through site plan approvals;

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

WHEREAS it is not appropriate to pursue repair or restoration of this building 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 73 and 77 Stone Church Road West and 1029 West 5th Street, 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 the conditions of section 6(a), (b), and (c) of the Demolition Control By-law 09-208.

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
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT- Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

14. Demolition Permit for 387, 397, 405 and 409 Hamilton Drive, Ancaster (Item 11.2)

(Ferguson/Pearson)

WHEREAS, the developer of the subject property has assumed a previously submitted application for a Zoning By-law Amendment and Draft Plan of Subdivision (File Nos. ZAC-18-048 / 25T-201809) to permit the development of a residential plan of subdivision for 17 single detached residential lots and a stormwater management pond;

WHEREAS the subject properties on Hamilton Drive in Ancaster have homes and garages that have been vacant and boarded up for years;

WHEREAS demolition permits are being requested to alleviate ongoing trespass and vandalism issues associated with these vacant structures while planning issues are being resolved;

THEREFORE BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permits for 387, 397, 405 and 409 Hamilton Drive, Ancaster, 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 the conditions 6(a), (b), and (c) of the Demolition Control By-law 09-208.

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
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

15. Update on Recent Ontario Land Tribunal Decisions (LS22014/PED22119) (City Wide) (Added Item 14.1)

(Danko/Partridge)

- (a) That Report LS22014/PED22119 respecting Update on Recent Ontario Land Tribunal Decisions, be referred to the General Issues Committee; and,
- (b) That Report LS22014/PED22119 respecting Update on Recent Ontario Land Tribunal Decisions remain private and confidential.

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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- 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. DELEGATION REQUESTS (Item 6)

- 6.2 Bob Maton, Ancaster Village Heritage Community, respecting Revisions to the Demolition By-law (Item 10.2)

2. CONSENT ITEMS (Item 7)

- 7.2 Appointment By-law under the Building Code Act, 1992 (PED22099) (City Wide) - WITHDRAWN
- 7.5 Hamilton Municipal Heritage Committee Report 22-003
- 7.6 Non-Decision Appeals to the Ontario Land Tribunal (2018 to 2022) (LS22021) (City Wide)

3. PUBLIC HEARINGS / DELEGATIONS (Item 9)

- 9.4 Application for a Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 525 Rymal Road West, Hamilton (PED22083) (Ward 14)
 - (a) Added Written Submission:
 - (i) John Huizing
- 9.5 Application for a Zoning By-law Amendment for Lands Located at 866 West 5th Street, Hamilton (PED22090) (Ward 8)
 - (a) Added Written Submission:
 - (i) Josephine Poon
 - (b) Added Registered Delegations:
 - (i) Bruce Black
 - (ii) Kimberley MacLean
 - (iii) Randy Chapple

4. PRIVATE AND CONFIDENTIAL (Item 14)

- 14.1 Update on Recent Ontario Land Tribunal Decisions (LS22014/PED22119) (City Wide)

(Farr/Danko)

That the agenda for the April 25, 2022 Planning Committee meeting be approved, as amended.

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
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Ferguson declared a disqualifying interest regarding Item 10.3 Taxi Meter Rate Increase (PED22105), as he is an investor in the industry.

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

(i) April 5, 2022 (Item 4.1)

(Farr/Danko)

That the Minutes of the April 5, 2022 meeting be approved, as presented.

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

(d) DELEGATION REQUESTS (Item 6)

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

(Partridge/Pearson)

That the following Delegation Requests be approved:

- 6.1 Amanda Stewart respecting Day Cares and Zoning By-Law Separation Requirements, to be heard before Item 9.2.
- 6.2 Bob Maton, Ancaster Village Heritage Community, respecting Revisions to the Demolition By-law (Item 10.2), to be heard before Item 9.2.

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

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

(e) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Luca Giuliano respecting the 12 Hour Parking Rule (Item 9.1)

Luca Giuliano addressed the Committee respecting the 12 Hour Parking Rule.

(Farr/Pearson)

That the delegation from Luca Giuliano respecting the 12 Hour Parking Rule, 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Farr/Wilson)

WHEREAS, the 12 Hour Time Limit Parking Regulation has at least been in place since 2001 in all areas of City inclusive of Ancaster, Dundas, Flamborough, Glanbrook, Hamilton, and Stoney Creek.

WHEREAS, divisions within Public Works rely on the 12 Hour Time Limit Parking Regulation in order to facilitate public works functions such as but not limited to snow removal, road maintenance, etc.

WHEREAS, residents have historically relied on the 12 Hour Time Limit Parking Regulation for on street turnover intended for equal access to on street parking and to prevent vehicles from being stored/abandoned on the street.

WHEREAS, COVID 19 has put pressure on street parking availability due to residential dynamics in relation to the 12 Hour Time Limit Parking Regulation.

Whereas the 12 hour Time limit creates challenges for people working on extended work shifts and work and hybrid work models.

THEREFORE, BE IT RESOLVED:

That staff be directed report back to Planning Committee with a review of the 12 Hour Parking Regulation and options for potential modifications.

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

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

(ii) Amanda Stewart respecting Day Cares and Zoning By-law Separation Requirements (Added Item 9.6)

Amanda Stewart addressed the Committee respecting Day Cares and Zoning By-law Separation Requirements.

(Danko/Partridge)

That the delegation from Amanda Stewart respecting Day Cares and Zoning By-law Separation Requirements, 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(iii) Bob Maton, Ancaster Village Heritage Community, respecting Revisions to the Demolition By-law (Item 10.2) (Added Item 9.7)

Bob Maton, Ancaster Village Heritage Community, addressed the Committee respecting Revisions to the Demolition By-law (Item 10.2).

(Farr/Partridge)

That the delegation from Bob Maton, Ancaster Village Heritage Community, respecting Revisions to the Demolition By-law (Item 10.2), 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 11.

In accordance with the *Planning Act*, Chair Ferguson 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 Ferguson 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 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.

(iv) Applications for an Amendment to the City of Flamborough Zoning By-law No. 90-145-Z and City of Hamilton Zoning By-law No. 05-200 and Draft Plan of Subdivision for Lands Located at 655 Cramer Road, Flamborough (PED22061) (Ward 13) (Item 9.2)

No members of the public were registered as Delegations.

(Pearson/Wilson)

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

Steve Fraser with AJ Clarke & Associates, was in attendance and indicated he was not in support of the staff report.

(Pearson/Partridge)

That the delegation from Steve Fraser with AJ Clarke & Associates, be received.

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

(Pearson/Partridge)

That the written submissions in the staff report be received.

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

(Pearson/Partridge)

That the public meeting be closed.

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

(Wilson/Partridge)

(a) That Zoning By-law Amendment Application ZAC-17-064, by 1376412 Ontario Ltd. c/o Zeina Homes, (Owner), for a change in zoning from Settlement Residential "R2-14(H)", Modified – Holding Zone to a site specific Settlement Residential "R2" Zone, Modified, and the Conservation / Hazard Land (P5) Zone, for lands located at

655 Cramer Road, as shown on Appendix “A” attached to Report PED22061, be DENIED on the following basis:

- (i) That the proposal is not consistent with the Provincial Policy Statement (PPS);
 - (ii) The proposal does not comply with the Provincial D-6 Guidelines: Compatibility Between Industrial Facilities;
 - (iii) The proposal does not comply with the Growth Plan for the Greater Golden Horseshoe (2020);
 - (iv) The proposal does not comply with the Settlement Residential policies under the Greensville Rural Settlement Area Plan of the Rural Hamilton Official Plan;
 - (v) The proposal is not consistent with the Greenbelt Plan (2017).
- (b) That Draft Plan of Subdivision Application 25T-201710 by 1376412 Ontario Ltd. c/o Zeina Homes, (Owner), to establish a Draft Plan of Subdivision in order to permit 18 residential lots, one stormwater management pond and three public roadways (one new proposed road and two extensions of existing public roads) for lands located at 655 Cramer Road, as shown on Appendix “B” attached to Report PED22061, be DENIED on the following basis:
- (i) The proposal is not consistent with the Land Use Compatibility Policy under the Provincial Policy Statement (PPS);
 - (ii) The proposal does not comply with the Employment policy under the Growth Plan for the Greater Golden Horseshoe (2020);
 - (iii) The proposal is not consistent with the Greenbelt Plan;
 - (iv) The proposal does not comply with the Settlement Residential policies of the Greensville Rural Settlement Area Plan and the policies for the approval of a Plan of Subdivision in the Rural Hamilton Official Plan;
 - (v) The proposal does comply with criteria relating to matters of health, safety and welfare of the present and future inhabitants as per Section 51(24) of the Planning Act.

(Wilson/Partridge)

That the recommendations in Report PED22061 be **amended** by adding the following sub-section (c):

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

Result: Amendment 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 6.

- (iv) **Application for Approval of a Draft Plan of Subdivision for Lands Located at 179, 183, and 187 Wilson Street West, Ancaster (PED22081) (Ward 12) (Item 9.3)**

No members of the public were registered as delegations.

James Van Rooi, Planner I, addressed the Committee with the aid of a PowerPoint Presentation.

(Pearson/Wilson)

That the staff presentation 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

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

(Farr/Pearson)

That the delegation from Katelyn Gillis with T. Johns Consulting, 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Pearson/Partridge)

That the written submissions in the staff report 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Pearson/Danko)

That the public meeting be closed.

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

(Ferguson/Pearson)

(a) That Draft Plan of Subdivision Application 25T-202110, by Wilson West Development Corporation c/o Brandon Campbell, owner, to establish a Draft Plan of Subdivision on lands located at 179, 183, and 187 Wilson Street West (Ancaster), as shown on Appendix "A" attached to Report PED22081, be APPROVED subject to the following conditions:

(i) That this approval applies to the Draft Plan of Subdivision Application 25T-202110 prepared by A. T. McLaren Limited and certified by S. Dan McLaren, O.L.S. dated July 7, 2021,

consisting of two blocks (Blocks 1 and 2) subject to the owner entering into a Standard Form Subdivision Agreement as approved by City Council attached as Appendix “B” to Report PED22081;

- (ii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202110, attached as Appendix “C” to Report PED22081, 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;
- (iv) That in accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017), there will be no cost sharing within the Draft Plan of Subdivision lands.

(Ferguson/Pearson)

That Appendix “C” to Report PED22081 be **amended** by adding Condition 11, as follows:

Waste Collection:

- 11. ***That prior to registration of the plan of subdivision, the owner / developer shall include in all offers of purchase and sale and lease or rental agreements warning clauses indicating that an assigned waste collection pad may be provided for Units 14, 15, 16, and 17 of Block 3, Units 18, 19, 20, 21 and 22 of Block 4, Unit 13 of Block 2 and Unit 23 of Block 5 (for unit and block reference please refer to Appendix “E” of PED22081).***

Result: Amendment 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
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT- Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

(Ferguson/Pearson)

That the recommendations in Report PED22081 be **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.**

Result: Amendment 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 7.

- (v) Application for a Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 525 Rymal Road West, Hamilton (PED22083) (Ward 14) (Item 9.4)**

No members of the public were registered as Delegations.

(Wilson/Farr)

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

Ryan Ferrari and Steve Fraser with AJ Clarke & Associates, were in attendance and indicated support for the staff report.

(Pearson/Wilson)

That the delegation from Ryan Ferrari and Steve Fraser with AJ Clarke & Associates, 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Pearson/Wilson)

That the following written submission (Added Item 9.4(a)), be received:

- (i) John Huizing, with concerns regarding the application.

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

(Pearson/Wilson)

That the public meeting be closed.

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

(Pearson/Wilson)

- (a) That Zoning By-law Amendment Application ZAC-20-044 by A.J. Clarke and Associates c/o Stephen Fraser, on behalf of 2713128 Ontario Inc. c/o Loan Nguyen and Kevin Poursina, Owner, for a change in zoning from the "AA" (Agricultural) District to the "RT-30/S-1817" (Street - Townhouse) District, Modified (Block 1) and from the "AA" (Agricultural) District to the "C/S-1817" (Urban Protected Residential, etc.) District, Modified, (Block 2), to permit the lands to be developed for six street townhouses and one single

detached dwelling, on lands located at 525 Rymal Road West, as shown on Appendix “A” attached to Report PED22083, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” attached to Report PED22083, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and comply with the Urban Hamilton Official Plan (UHOP);
- (b) That Draft Plan of Subdivision Application 25T-202010 by A.J. Clarke and Associates c/o Stephen Fraser, on behalf of 2713128 Ontario Inc. c/o Loan Nguyen and Kevin Poursina, Owner, to establish a Draft Plan of Subdivision on lands located at 525 Rymal Road West, as shown on Appendix “E” attached to Report PED22083, be APPROVED on the following basis:
- (i) That this approval applies to the Draft Plan of Subdivision Application 25T-202010 prepared by A. J. Clarke and Associates Ltd. and certified by Nicholas P. Muth, O.L.S. dated July 5, 2021, consisting of one block (Block 8), and seven lots (Lots 1-7), subject to the owner entering into a Standard Form Subdivision Agreement as approved by City Council, attached as Appendix “E” to Report PED22083;
 - (ii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202010, attached as Appendix “F” to Report PED22083, 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;
 - (iv) That in accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017), there will be no cost sharing within the Draft Plan of Subdivision lands;

- (c) That upon finalization of the amending By-law, the subject lands shown as Block “1” on Appendix “A” attached to Report PED22083 be re-designated from “Single and Double” to “Attached Housing” in the Carpenter Neighbourhood Plan.

(Pearson/Wilson)

That the recommendations in Report PED22083 be **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.***

Result: Amendment 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 8.

- (vi) **Application for a Zoning By-law Amendment for Lands Located at 866 West 5th Street, Hamilton (PED22090) (Ward 8) (Item 9.5)**

James Van Rooi, Planner I, addressed the Committee with the aid of a PowerPoint Presentation.

(Danko/Farr)

That the staff presentation 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- 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.

(Danko/Wilson)

That the delegation from Matt Johnston with Urban Solutions, 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Danko/Pearson)

That the following written submissions (Added Item 9.5(a)), be received:

- (i) Josephine Poon, in Opposition to the application.

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

Registered Delegations (Added Item 9.5(b)):

- (i) Bruce Black addressed the Committee in Opposition to the proposal.
- (ii) Kimberley MacLean addressed the Committee in Opposition to the proposal.
- (iii) Randy Chapple addressed the Committee in Opposition to the proposal.

(Danko/Pearson)

That the following delegations be received.

- (i) Bruce Black
- (ii) Kimberley MacLean
- (iii) Randy Chapple

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

(Danko/Pearson)

That the public meeting be closed.

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

(Danko/Pearson)

(a) That Amended Zoning By-law Amendment Application ZAC-21-036 by Urban Solutions Planning and Land Development Consultants Inc. c/o Matt Johnston on behalf of Angros Enterprises Ltd. c/o Victor Fontana, owner, for a change in zoning from the "AA" (Agricultural) District and from the "C" (Urban Protected Residential, etc.) District to the "RT-30/S-1818" (Street - Townhouse) District, Modified, to permit the lands to be developed for nine street townhouses on lands located at 866 West 5th Street, as shown as Blocks 1 and 2 on Appendix "A" attached to Report PED22090, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "B" attached to Report PED22090, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and comply with the Urban Hamilton Official Plan (UHOP);

- (b) That upon finalization of the amending By-law, the subject lands be re-designated from “Single and Double” to “Attached Housing” in the Gourley Neighbourhood Plan.

(Danko/Pearson)

That the recommendations in Report PED22090 be **amended** by adding the following sub-section (c):

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

Result: Amendment 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
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT- Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

For disposition of this matter, refer to Item 9.

(Wilson/Partridge)

That the Committee recess from 12:32 p.m. until 1:00 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
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT- Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

(f) DISCUSSION ITEMS (Item 10)

(i) Demolition Control and Heritage (PED22093) (City Wide) (Item 10.2)

Alissa Golden, Heritage Projects Specialist, addressed the Committee with the aid of a PowerPoint presentation.

(Partridge/Partridge)

That the presentation from Alissa Golden, Heritage Projects Specialist, respecting Demolition Control and Heritage, 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

For disposition of this matter refer to Item 11.

(ii) Taxi Meter Rate Increase (PED22105) (City Wide) (Item 10.3)

Due to a declared conflict, Chair Ferguson relinquished the Chair to Councillor Wilson for the discussion and voting on this matter.

For disposition of this matter, refer to Item 12.

(g) NOTICES OF MOTION (Item 12)

(i) Waiving of Street Festival Fees (Added Item 12.1)

Councillor Farr introduced the following Notice of Motion respecting Waiving of Street Festival Fees:

WHEREAS, over the past two years the COVID 19 Pandemic has significantly impacted the ability for street festivals to occur;

WHEREAS, street festivals are an important tool to support broader economic recovery planning;

WHEREAS, Hamilton Municipal Parking System typically charges a fee to help off-set the loss in revenue where street festivals remove metered on-street parking from service; and,

WHEREAS, reducing the costs associated with street festivals could accelerate their return;

THEREFORE, BE IT RESOLVED:

- (a) That the fees typically applied to offset revenue losses from metered parking being removed from service be waived for street festivals qualifying under the Special Event Advisory Team (SEAT) process be waived for the 2022 season; and,

- (b) That the estimated revenue off-set for the Hamilton Municipal Parking System be funded from the Economic Development Investment Reserve (112221) .

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

(i) General Manager's Update (Added Item 13.2)

Jason Thorne, General Manager of Planning and Economic Development, advised the Committee of Chief Building Official Ed VanderWindt's upcoming retirement.

(i) PRIVATE AND CONFIDENTIAL (Item 14)

(Pearson/Danko)

That Committee move into Closed Session respecting Item 14.1 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 City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, to 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(i) Update on Recent Ontario Land Tribunal Decisions (LS22014/PED22119) (City Wide) (Added Item 14.1)

For disposition of this matter refer to Item 15.

(j) ADJOURNMENT (Item 15)

(Pearson/Farr)

That there being no further business, the Planning Committee be adjourned at 2:54 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
YES - Ward 15 Councillor Judi Partridge
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT- Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

Councillor L. Ferguson
Acting Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator