



**PLANNING COMMITTEE
REPORT
22-008**

May 17, 2022

9:30 a.m.

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

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

Absent with Regrets: J. Farr - Personal

THE PLANNING COMMITTEE PRESENTS REPORT 22-008 AND RESPECTFULLY RECOMMENDS:

1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED22106) (City Wide) (Item 7.1)

That Report PED22106 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

2. Appeal of Zoning By-law Amendment Application ZAC-18-049 and Draft Plan of Subdivision Application 25T-202109 for Lands Located at 860 and 884 Barton Street (Stoney Creek) (PED22114) (Ward 10) (Item 7.2)

That Report PED22114 respecting Appeal of Zoning By-law Amendment Application ZAC-18-049 and Draft Plan of Subdivision Application 25T-202109 for Lands Located at 860 and 884 Barton Street (Stoney Creek), be received.

3. Hamilton Municipal Heritage Report 22-005 (Added Item 7.3)

(a) Recommendation to Designate 56 York Boulevard, Hamilton (Coppley / Commercial Block) Under Part IV of the Ontario Heritage Act (PED22108) (Ward 2) (Item 8.1)

- (i) That City Council withdraw the 1979 Notice of Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, for

the property at 56 York Boulevard, Hamilton (Coppley / Commercial Block);

- (ii) That City Council state its intention to designate under Part IV, Section 29 of the Ontario Heritage Act, the property at 56 York Boulevard, Hamilton (Coppley / Commercial Block) in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes of 56 York Boulevard, Hamilton, attached as Appendix “B” to Report PED22108;
- (iii) That the Clerk be directed to give notice of intention to designate the property at 56 York Boulevard, Hamilton as a property of cultural heritage value or interest in accordance with the requirements of section 29 of the Ontario Heritage Act subject to the following:
 - (1) If there are no objections to the designation in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate 56 York Boulevard, Hamilton to be of cultural heritage value or interest to City Council;
 - (2) If there are objections in accordance with the Ontario Heritage Act, City Council directs staff to report back to Council to allow Council to consider the objection and make a decision on whether or not to withdraw the notice of intention to designate the property.

(b) Heritage Permit Application HP2022-007, Under Part V of the Ontario Heritage Act, to Permit the Demolition of the Existing Dwelling and Garage, 940 Beach Boulevard, Hamilton (Ward 5) (PED22124) (Item 10.1)

- (i) That Heritage Permit Application HP2022-007, for the demolition of the Part V designated existing dwelling and detached garage for lands located at 940 Beach Boulevard, under Section 42 of the Ontario Heritage Act, be approved with the following conditions:
 - (1) Implementation of the demolition of the dwelling and detached garage, in accordance with this approval, shall be completed no later than April 30, 2024. If the alterations are not completed by April 30, 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;

- (ii) That appropriate notice of the Council decision be served on the owner of 940 Beach Boulevard, Hamilton, and the Ontario Heritage Trust, as required under Section 42 of the Ontario Heritage Act.

**4. Municipal Comprehensive Review / Official Plan Review – Phase 1
Amendments to the Urban Hamilton Official Plan and Rural Hamilton
Official Plan (PED21067(b)) (City Wide) (Item 9.2)**

- (a) That the draft Urban Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED21067(b), which updates the Official Plan to conform with Provincial planning policies and which implements the direction given by the General Issues Committee Decision on November 19, 2021 for a No Urban Boundary Expansion growth option, as part of the City’s Growth Related Integrated Development Strategy 2, be APPROVED, and submitted to the Minister of Municipal Affairs and Housing for approval, in accordance with the requirements of the *Planning Act* on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “A” to Report PED21067(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (b) That the draft Rural Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED21067(b), which updates the Official Plan to conform with Provincial planning policies and which implements the direction given by the General Issues Committee Decision on November 19, 2021 for a No Urban Boundary Expansion growth option, as part of the City’s Growth Related Integrated Strategy 2, be APPROVED, and submitted to the Minister of Municipal Affairs and Housing for approval, in accordance with the requirements of the *Planning Act* on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED21067(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (c) That upon adoption of the draft Urban Hamilton Official Plan Amendment and Rural Hamilton Official Plan Amendment, attached as Appendices “A” and “B” respectively to Report PED21067(b), Planning staff be directed and authorized to prepare the implementing Zoning By-law Amendments to the Zoning By-laws of the former Communities of Ancaster, Dundas, Flamborough, Glanbrook, former City of Hamilton, and Stoney Creek and schedule a statutory public meeting of the Planning Committee to consider the proposed changes to the Zoning By-laws of the former Communities.

- (d) That in order to advance the City's work to implement an Inclusionary Zoning Framework within the City of Hamilton, staff be directed to incorporate into the Municipal Comprehensive Review Phase One Official Plan Amendment, a schedule identifying the conceptual locations of the City's Major Transit Stations Areas (MTSAs) and a policy indicating the City's intent to implement an Inclusionary Zoning Framework with respect to those MTSAs (Major GO Stations and LRT stops).
- (e) That the public submissions regarding this matter were received and considered by the Committee in approving the application.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.1 Peter De Iulio respecting 940-946 Beach Blvd. (Recommendation #2 in Item 7.3) (For today's meeting)

2. CONSENT ITEMS (Item 7)

- 7.3 Hamilton Municipal Heritage Committee Report 22-005

3. PUBLIC HEARINGS/DELEGATIONS (Item 9)

- 9.1 Modifications and Updates to existing Secondary Dwelling Unit and Secondary Dwelling Unit – Detached Regulations (PED20093(c)) (City Wide)

(a) Added Written Submissions:

- (i) Ronald McCrory
- (ii) West End Home Builders' Association

- 9.2 Municipal Comprehensive Review / Official Plan Review – Phase 1 Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED21067(b)) (City Wide)

(a) Added Written Submissions:

- (ix) D. Christopher Ashwin
- (x) Patrick and Deborah Doran
- (xi) Denise O'Connor
- (xii) Marie Nutter

- (xiii) Alysha Read
- (xiv) Cathie Botelho
- (xv) MaryAnn Hudecki Thompson
- (xvi) Isadora Van Riemsdijk
- (xvii) Bill and Gail Lorimer
- (xviii) Rachelle Sender
- (xix) Ingrid Hengemuhle
- (xx) Teresa Gerenscer
- (xxi) Kelly Holt
- (xxii) John Boddy
- (xxiii) Elaine De Ruiter
- (xxiv) Renee Perazzo
- (xxv) Ed and Edda engel
- (xxvi) Jason Hindle
- (xxvii) Ron and Mary Sealey
- (xxviii) Reuven Dukas
- (xxix) Monica Palkowski
- (xxx) Lyn and Rick Folkes
- (xxxi) DD Crowley
- (xxxii) Don Edwards
- (xxxiii) Brenda Alcock
- (xxxiv) Rick and Linda Jones
- (xxxv) Harriet Woodside
- (xxxvi) Kevin Speers
- (xxxvii) Erin Schacklette
- (xxxviii) Erin Mallon
- (xxxix) Alex Berze
- (xl) Leah Avery
- (xli) Don Ryter
- (xlii) Cynthia Meyer
- (xliii) Eric Canton
- (xliv) Sandy Leyland
- (xlv) Illyria Volcansek
- (xlvi) Ed Fothergill
- (xlvii) Nathalie Belu
- (xlviii) Jaleen Grove
- (xlix) Margo May Taylor
- (l) Deb Peace
- (li) Ibro Kuranovich and Damir Sebesta
- (lii) Wyn Andress
- (liii) Jill Tonini
- (liv) Kris Gadjanski
- (lv) Doug Rich
- (lvi) Patty Haardeng
- (lvii) Lori Cefaloni
- (lviii) Margot Olivieri
- (lix) Rob Stovel

- (lx) Lynn MacLennan
- (lxi) Rose Janson
- (lxii) Nancy Hurst
- (lxiii) Karen Pingree
- (lxiv) Melynda Paterson
- (lxv) Simon Woodside
- (lxvi) Zoe Green
- (lxvii) Gord and Angie McNuity
- (lxviii) Laura Katz
- (lxix) Conner Harris
- (lxx) Craig Burley
- (lxxi) Ian Cooke
- (lxxii) Warren Caldwell
- (lxxiii) Graham Roebuck
- (lxxiv) William Hill
- (lxxv) Jan Jansen
- (lxxvi) John McBrien
- (lxxvii) Henry Muggah and Elizabeth Crookshank/Muggah
- (lxxviii) Emily Kam
- (lxxix) Michelle Webb
- (lxxx) Marion Redman
- (lxxxi) Doris Khes
- (lxxxii) Kay Chornook
- (lxxxiii) Lauren Tindall
- (lxxxiv) Patricia Baker
- (lxxxv) Mark Forler
- (lxxxvi) Nonni Iler
- (lxxxvii) Debbie Edwards and Rick Csiernik
- (lxxxviii) Lynn Prince
- (lxxxix) Steven Romphf
- (xc) Laurie Nielsen
- (xci) Adan Amer
- (xcii) Chong Long
- (xciii) Corbett Land Strategies
- (xciv) Allyn Walsh
- (xcv) Nicole Smith
- (xcvi) Laura Cox
- (xcvii) The Cadillac Fairview Corporation Limited
- (xcviii) Sidana Holdings and 2474314 Ontario Inc.
- (xcix) Michelle Tom
- (c) Ken Stone
- (ci) Marie Covert
- (cii) Joe Minor
- (ciii) Hammer GP LP and Hammer GP Services Corp.
- (civ) Liz Koblyk
- (cv) Isabel Belanger
- (cvi) Frances Murray

(cvii) Kathryn Cowan
(cviii) Duncan Appleford
(cix) Susan Wortman
(cx) Donna Spurr
(cxi) Spencer Steenburgh
(cxii) Andrea Abeysakara

(b) Added Registered Delegations:

(ii) John Corbett, Corbett Land Strategies
(iii) Nick Wood, Corbett Land Strategies
(iv) Lynda Lukasik, Environment Hamilton
(v) Craig Burley

The agenda for the May 17, 2022 Planning Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Wilson declared a disqualifying interest respecting Recommendation #1 in Hamilton Municipal Heritage Committee Report 22-005 (Added Item 7.3), as her spouse is employed by an organization with an interest in the property.

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

(i) May 3, 2022 (Item 4.1)

The Minutes of the May 3, 2022 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Peter De Iulio respecting 940-946 Beach Blvd (Recommendation #2 in Item 7.3) (For today's meeting) (Added Item 6.1)

The Delegation Request from Peter De Iulio respecting 940-946 Beach Blvd (Recommendation #2 in Item 7.3), was approved for today's meeting, to be heard before Item 7.3.

(e) CONSENT ITEMS (Item 7)

(i) Appeal of Zoning By-law Amendment Application ZAC-18-049 and Draft Plan of Subdivision Application 25T-202109 for Lands Located at 860 and 884 Barton Street (Stoney Creek) (PED22114) (Ward 10) (Item 7.2)

Tim Vrooman, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

For disposition of this matter, refer to Item 2.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Peter De Iulio respecting 940-946 Beach Blvd (Recommendation #2 in Item 7.3) (Added Item 9.3)

Peter De Iulio addressed the Committee respecting 940-946 Beach Blvd (Recommendation #2 in Item 7.3).

The Delegation from Peter De Iulio respecting 940-946 Beach Blvd (Recommendation #2 in Item 7.3), was received.

For disposition of this matter, refer to Item 3(b).

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 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) Modifications and Updates to existing Secondary Dwelling Unit and Secondary Dwelling Unit – Detached Regulations (PED20093(c)) (City Wide) (Item 9.1)

Report PED20093(c) respecting Modifications and Updates to existing Secondary Dwelling Unit and Secondary Dwelling Unit – Detached Regulations, was DEFERRED to the May 31, 2022 Planning Committee meeting.

(iii) Municipal Comprehensive Review / Official Plan Review – Phase 1 Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED21067(b)) (City Wide) (Item 9.2)

Alana Fulford, Senior Planner, and Delia McPhail, Policy Planner 1, addressed the Committee with the aid of a PowerPoint presentation

The staff presentation was received.

The following written submissions (Item 9.2(a)) were received:

- (i) Greenhorizons Holdings Inc. / Group of Farms Ltd.
- (ii) Artstone Holdings Ltd.
- (iii) Frisina Group
- (iv) Corpveil Holdings Ltd.
- (v) NHDG (Waterfront) Inc.
- (vi) Hamilton Homebuilders and Developers
- (vii) Alexander Place
- (viii) Dina D'Ermo
- (ix) D. Christopher Ashwin
- (x) Patrick and Deborah Doran
- (xi) Denise O'Connor
- (xii) Marie Nutter
- (xiii) Alysha Read
- (xiv) Cathie Botelho
- (xv) MaryAnn Hudecki Thompson
- (xvi) Isadora Van Riemsdijk
- (xvii) Bill and Gail Lorimer
- (xviii) Rachelle Sender
- (xix) Ingrid Hengemuhle
- (xx) Teresa Gerenscer
- (xxi) Kelly Holt
- (xxii) John Boddy
- (xxiii) Elaine De Ruiter
- (xxiv) Renee Perazzo
- (xxv) Ed and Edda engel
- (xxvi) Jason Hindle
- (xxvii) Ron and Mary Sealey
- (xxviii) Reuven Dukas
- (xxix) Monica Palkowski
- (xxx) Lyn and Rick Folkes
- (xxxi) DD Crowley
- (xxxii) Don Edwards
- (xxxiii) Brenda Alcock
- (xxxiv) Rick and Linda Jones
- (xxxv) Harriet Woodside
- (xxxvi) Kevin Speers
- (xxxvii) Erin Schacklette
- (xxxviii) Erin Mallon
- (xxxix) Alex Berze
- (xl) Leah Avery
- (xli) Don Ryter
- (xlii) Cynthia Meyer

- (xlili) Eric Canton
- (xliv) Sandy Leyland
- (xlv) Illyria Volcansek
- (xlvi) Ed Fothergill
- (xlvii) Nathalie Belu
- (xlviii) Jaleen Grove
- (xlix) Margo May Taylor
- (l) Deb Peace
- (li) Ibro Kuranovich and Damir Sebesta
- (lii) Wyn Andress
- (liii) Jill Tonini
- (liv) Kris Gadjanski
- (lv) Doug Rich
- (lvi) Patty Haardeng
- (lvii) Lori Cefaloni
- (lviii) Margot Olivieri
- (lix) Rob Stovel
- (lx) Lynn MacLennan
- (lxi) Rose Janson
- (lxii) Nancy Hurst
- (lxiii) Karen Pingree
- (lxiv) Melynda Paterson
- (lxv) Simon Woodside
- (lxvi) Zoe Green
- (lxvii) Gord and Angie McNuity
- (lxviii) Laura Katz
- (lxix) Conner Harris
- (lxx) Craig Burley
- (lxxi) Ian Cooke
- (lxxii) Warren Caldwell
- (lxxiii) Graham Roebuck
- (lxxiv) William Hill
- (lxxv) Jan Jansen
- (lxxvi) John McBrien
- (lxxvii) Henry Muggah and Elizabeth Crookshank/Muggah
- (lxxviii) Emily Kam
- (lxxix) Michelle Webb
- (lxxx) Marion Redman
- (lxxxi) Doris Khes
- (lxxxii) Kay Chornook
- (lxxxiii) Lauren Tindall
- (lxxxiv) Patricia Baker
- (lxxxv) Mark Forler
- (lxxxvi) Nonni Iler
- (lxxxvii) Debbie Edwards and Rick Csiernik
- (lxxxviii) Lynn Prince
- (lxxxix) Steven Romphf

- (xc) Laurie Nielsen
- (xci) Adan Amer
- (xcii) Chong Long
- (xciii) Corbett Land Strategies
- (xciv) Allyn Walsh
- (xcv) Nicole Smith
- (xcvi) Laura Cox
- (xcvii) The Cadillac Fairview Corporation Limited
- (xcviii) Sidana Holdings and 2474314 Ontario Inc.
- (xcix) Michelle Tom
- (c) Ken Stone
- (ci) Marie Covert
- (cii) Joe Minor
- (ciii) Hammer GP LP and Hammer GP Services Corp.
- (civ) Liz Koblyk
- (cv) Isabel Belanger
- (cvi) Frances Murray
- (cvii) Kathryn Cowan
- (cviii) Duncan Appleford
- (cix) Susan Wortman
- (cx) Donna Spurr
- (cxi) Spencer Steenburgh
- (cxii) Andrea Abeysakara

The following Delegations (Item 9.2(b)) addressed the Committee:

- (i) Michael Collins-Williams, West End Home Builders' Association
- (ii) John Corbett, Corbett Land Strategies
- (iii) Nick Wood, Corbett Land Strategies
- (iv) Lynda Lukasik, Environment Hamilton
- (v) Craig Burley

The following Delegations (Item 9.2(b)), were received:

- (i) Michael Collins-Williams, West End Home Builders' Association
- (ii) John Corbett, Corbett Land Strategies
- (iii) Nick Wood, Corbett Land Strategies
- (iv) Lynda Lukasik, Environment Hamilton
- (v) Craig Burley

The public meeting was closed.

- (a) That the draft Urban Hamilton Official Plan Amendment, attached as Appendix "A" to Report PED21067(b), which updates the Official Plan to conform with Provincial planning policies and which implements the direction given by the General Issues Committee Decision on November 19, 2021 for a No Urban Boundary

Expansion growth option, as part of the City's Growth Related Integrated Development Strategy 2, be APPROVED, and submitted to the Minister of Municipal Affairs and Housing for approval, in accordance with the requirements of the Planning Act on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix "A" to Report PED21067(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (b) That the draft Rural Hamilton Official Plan Amendment, attached as Appendix "B" to Report PED21067(b), which updates the Official Plan to conform with Provincial planning policies and which implements the direction given by the General Issues Committee Decision on November 19, 2021 for a No Urban Boundary Expansion growth option, as part of the City's Growth Related Integrated Strategy 2, be APPROVED, and submitted to the Minister of Municipal Affairs and Housing for approval, in accordance with the requirements of the Planning Act on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED21067(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (c) That upon adoption of the draft Urban Hamilton Official Plan Amendment and Rural Hamilton Official Plan Amendment, attached as Appendices "A" and "B" respectively to Report PED21067(b), Planning staff be directed and authorized to prepare the implementing Zoning By-law Amendments to the Zoning By-laws of the former Communities of Ancaster, Dundas, Flamborough, Glanbrook, former City of Hamilton, and Stoney Creek and schedule a statutory public meeting of the Planning Committee to consider the proposed changes to the Zoning By-laws of the former Communities.

The recommendations in Report PED21067(b) were **amended** by adding the following sub-section (d):

- (d) ***That in order to advance the City's work to implement an Inclusionary Zoning Framework within the City of Hamilton, staff be directed to incorporate into the Municipal Comprehensive Review Phase One Official Plan Amendment, a schedule identifying the conceptual locations of the City's Major Transit Stations Areas (MTSAs) and a policy indicating***

the City's intent to implement an Inclusionary Zoning Framework with respect to those MTSA's (Major GO Stations and LRT stops).

The recommendations in Report PED21067(b) were **amended** by adding the following sub-section (e):

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

For disposition of this matter, refer to Item 4.

(g) PRIVATE AND CONFIDENTIAL (Item 14)

The Committee determined they did not have to move into Closed Session for Item 14.1.

(i) Closed Minutes – May 3, 2022 (Item 14.1)

- (a) That the Closed Session Minutes dated May 3, 2022, be approved, as presented; and,
- (b) That the Closed Session Minutes dated May 3, 2022, remain private and confidential.

(h) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee adjourned at 12:57 p.m.

Councillor B. Johnson
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator