



PLANNING COMMITTEE REPORT 22-011

July 5, 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 J.P. Danko, J. Partridge, J. Farr, and M. Pearson

Absent with Regrets: Councillor M. Wilson - Personal

THE PLANNING COMMITTEE PRESENTS REPORT 22-011 AND RESPECTFULLY RECOMMENDS:

1. Hamilton-Oshawa Port Authority - City of Hamilton Liaison Committee Report 22-002 (Item 7.1)

1. Committee Terms of Reference Review

That the Hamilton-Oshawa Port Authority Liaison Committee Terms of Reference be amended as follows:

- (a) That the Mandate be deleted in its entirety and replaced with new wording, as follows:

~~To liaise on real estate and planning matters of mutual interest within the West Harbour, Bayfront, and waterfront areas by:~~

- ~~• Ensuring that development on Port lands is compatible with both the economic development of the Port and the interest of the City;~~
- ~~• Ensuring effective public consultation on significant decisions relating to the Port and adjacent City lands;~~
- ~~• Promotion of the business in the Port;~~
- ~~• Enhancement of the marine environment;~~
- ~~• Provision of access to the waterfront and activities of the Port for citizens where this is consistent with the work of the Port;~~

- ~~Effective management of the use of the harbour, including recreational use where this is consistent with the work of the Port;~~
- ~~Provision of effective road and rail access and utility services for the efficient operations of the Port;~~
- ~~Provision of access to water and necessary City utility services; and,~~
- ~~Provision of effective policing and emergency services in the Port and adjacent area of the City, including emergency planning and disaster response.~~

To share information and discuss matters of mutual interest within the West Harbour, Bayfront, and waterfront areas including:

- Development and investment on Port lands that supports the economic development of the Port and the interests of the City;
- Public consultation on significant decisions relating to the Port and adjacent City lands;
- Promotion of the Port of Hamilton as part of the economic development of the City;
- Enhancement of the marine environment;
- Provision of access to the waterfront and activities of the Port for citizens where this is compatible with the work of the Port;
- Effective management of the use of the harbour, including recreational use where this is compatible with the work of the Port;
- Effective road and rail access and utility services for the efficient operations of the Port;
- Access to water and necessary City utility services;
- Security and emergency services as it relates to the Port and adjacent area of the City, including emergency planning and disaster response;
- Initiatives to mitigate and adapt to the impacts of climate change;
- Joint government relations strategies; and
- Establish principles to guide any new agreements or MOUs between the two parties.

(b) That the Composition be amended as follows:

The Mayor and three Members of City Council (4)
Hamilton-Oshawa Port Authority Board Chair and ~~two~~ three members from the Board or senior staff ~~(3)~~ (4)

(c) That the Support Staff be amended as follows:

City Manager and Hamilton-Oshawa Port Authority ~~Director~~ President and CEO

2. Ontario Building Code (OBC) Review of Microbrewery Occupancies (PED22094) (City Wide) (Item 7.2)

That Report PED22094 respecting Ontario Building Code (OBC) Review of Microbrewery Occupancies, be received.

3. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED22151) (City Wide) (Item 7.3)

That Report PED22151 respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

4. Planning and Economic Development Department (PED) Power Platform Portal (PED22163) (City Wide) (Item 7.4)

That the Chief Building Official be authorized to use up to \$700,000 from the Building Permit Fee Reserve (104050) to support the development of online services for the Building Division on a Microsoft Power Platform portal for the Planning and Economic Development Department (PED).

5. Application for a Zoning By-law Amendment for Lands Located at 1540 Upper Wentworth Street, Hamilton (PED22149) (Ward 7) (Item 9.1)

(a) That Revised Zoning By-law Amendment Application ZAC-21-023 by T. Johns Consulting Group Ltd. c/o Katelyn Gillis on behalf of Hamilton East Kiwanis Non-Profit Homes Inc. c/o New Commons Development, owner, for a change in zoning from "RT-20" (Townhouse - Maisonette) District to "RT-20/S-1823" (Townhouse - Maisonette) District, Modified (Block 1) and "E-2/S-1823-H" (Multiple Dwellings) District, Modified, Holding (Block 2) in order to permit the demolition of two blocks of existing townhouses for the development of an eight storey, 126 unit multiple dwelling on a portion of the lands located at 1540 Upper Wentworth Street, as shown on Appendix "A" attached to Report PED22149, be APPROVED on the following basis.

- (i) That the draft By-law, attached as Appendix "B" to Report PED22149, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding 'H' as a suffix to the proposed zoning for 1540 Upper Wentworth Street as shown on Schedule "A" of Appendix "B" attached to Report PED22149.

The Holding Provision "E-2/S-1823-H" (Multiple Dwellings) District, Modified, Holding, be removed conditional upon:

- 1) An acceptable tenant relocation and assistance plan addressing the right to return to occupy the replacement housing at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen the hardship, is provided to the satisfaction of the Director of Housing Services and the Director of Planning and Chief Planner;
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan (UHOP);
 - (b) That upon finalization of the amending By-law, the subject lands be re-designated from “Attached Housing” to “High Density Apartments” in the Barnstown Neighbourhood Plan.
 - (c) That the public submissions regarding this matter were received and considered by the Committee.
6. **Urban Hamilton Official Plan Amendment (UHOPA-21-019) and Zoning By-law Amendment (ZAC-21-041) Applications for the Lands Located at 510 Centennial Parkway North (PED22129) (Ward 5) (Item 9.3)**
 - (c) That the public submissions regarding this matter were received and considered by the Committee.
7. **Application for a Zoning By-law Amendment for Lands Located at 60 Caledon Avenue, Hamilton (PED22143) (Ward 8) (Item 9.4)**
 - (a) That Revised Zoning By-law Amendment Application ZAC-21-025 by GSP Group Inc. c/o Brenda Khes on behalf of Victoria Park Community Homes Inc. and Hamilton East Kiwanis Non-Profit Homes Inc., owners, for a change in zoning from the Community Institutional (I2) Zone to the Community Institutional (I2, 810, H127) Zone, to permit the lands to be developed for two, six storey, multiple dwellings and five, three storey, maisonette (back-to-back townhouse) buildings on lands located at 60 Caledon Avenue, as shown as on Appendix “A” attached to Report PED22143, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” attached to Report PED22143, 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 A Place to Grow:

Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan (UHOP);

- (b) That the amending By-law apply the Holding Provision of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by adding the Holding symbol H127 to Schedule D of City of Hamilton Zoning By-law No. 05-200; and, that it shall be lifted upon completion of the following:
 - (i) That the Owner submits and receives approval of an updated Functional Servicing Report and Stormwater Management Report and related drawings to demonstrate that adequate capacity exists in the existing municipal sanitary sewer downstream of the site to support the proposed development, to the satisfaction of the Director of Growth Management;
- (c) That upon finalization of the amending By-law, the subject lands be re-designated from “Civic and Institutional” to “Medium Density Apartments” in the Yeoville Neighbourhood Plan.
- (d) That the public submissions regarding this matter were received and considered by the Committee.

8. Application for Zoning By-law Amendment for Lands Located at 221 and 223 Charlton Avenue East and 200 Forest Avenue, Hamilton (PED22144) (Ward 2) (Item 9.5)

- (a) That Revised Zoning By-law Amendment Application ZAC-21-020, by T. Johns Consulting Group on Behalf of Corktown Co-operative Homes Inc. and Charlton Housing Co-operative Homes, Owner, to change the zoning from the “DE-3/S-970” (Multiple Dwellings) District, Modified (Block 1) and “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District (Block 2) to the “DE-3/S-1819” (Multiple Dwellings) District, Modified, to permit a three storey, 17 unit multiple dwelling to be constructed on the same lot as an existing four storey, 51 unit multiple dwelling, on lands located at 221 and 223 Charlton Avenue East and 200 Forest Avenue, Hamilton, as shown on Appendix “A” attached to Report PED22144, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B”, as amended, to Report PED22144, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

That Appendix “B” to Report PED22144 be amended by deleting sub-section 3 (c) and adding sub-sections 3 (c) and (d) as follows:

- ~~(c) In addition to Section 10C(2), the four storey building height of the multiple dwelling existing on the date of the passing of this By-law shall be permitted.~~
 - (c) Notwithstanding Section 10C(2), no building shall exceed three storeys or 11.5 metres.
 - (d) In addition to Section 3.c) above, the four storey building height of the multiple dwelling existing on the date of the passing of this By-law shall be permitted.
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the Urban Hamilton Official Plan;
 - (b) That upon finalization of the amending By-law, that the lands located at 221 and 223 Charlton Avenue East be re-designated from “Single and Double” to “Medium Density Apartments” in the Corktown Neighbourhood Plan.
 - (c) That the public submissions regarding this matter were received and considered by the Committee.
- 9. Application for Official Plan Amendment for lands located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, Hamilton (PED22153) (Ward 4) (Item 9.6) (Item 9.6)**
- (a) That amended Urban Hamilton Official Plan Amendment Application UHOPA-22-011, by Roxborough Park Inc., Owner, to amend Site Specific Policy UHN-25 to delete the maximum net residential density of 165 units per hectare and to require that increases in height and density be implemented through a Zoning By-law Amendment in accordance with applicable servicing and design criteria, for the lands located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, as shown on Appendix “A” attached to Report PED22153, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment (OPA), attached as Appendix “B”, as amended, to Report PED22153, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (a) That the draft Official Plan Amendment (OPA), attached as Appendix “B” to Report PED22153 be amended to add an additional policy to Site Specific Policy UHN-25 as follows:
 - Notwithstanding Policy e) of Site Specific Policy UHN-25, a modification to the zoning shall be considered minor and implementable through a minor variance for any development with a building height greater than 12 storeys, but not more than 18 storeys, and / or that results in a net residential density greater than 165 units per hectare, but not more than 254 units per hectare.”
 - (ii) That the proposed Official Plan Amendment (OPA) 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 there were no public submissions received regarding this matter.
- 10. Draft Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan to Implement Bill 13 and Bill 109 (PED22112(b)) (City Wide) (Item 10.1)**
- (a) That staff be directed and authorized to undertake public and stakeholder consultation on the proposed amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan to implement Bill 13 and Bill 109;
 - (b) That staff report back to Planning Committee summarizing input received from the public and stakeholder consultation with recommended amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan in August 2022.
- 11. Licensing Short-Term Rental (STR) Accommodations (PED17203(b)) (City Wide) (Item 10.2)**
- (a) That Report PED17203(b), Licensing Short-Term Rentals (STR), respecting the results of the on-line public survey, public consultation and Staff preliminary findings for a recommended approach for licensing and regulating Short-Term Rentals in Hamilton, be received;
 - (b) That the amendment to the Licensing By-law 07-170 with respect to Short-Term Rental (STR) Accommodations described in Report PED17203(b) and detailed in the proposed amending By-law, attached as Appendix “A” to Report PED17203(b), be received and be brought back to a future Planning Committee meeting;

- (c) That Planning Staff be directed to report back to Planning Committee with the necessary zoning changes relevant to short-term rentals to address historical zoning by-law definitions that are no longer applicable or that are redundant, and that appropriate public notice be provided.

12. 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) (Ward 12) (Deferred from the February 15, 2022 meeting) (Item 10.3)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-21-023, by GSP Group Inc. (c/o Brenda Khes, Applicant) on behalf of 2691893 Ontario Inc. (c/o IronPoint Capital Management Inc., Owner) to establish a Site Specific Policy Area in the Ancaster Wilson Street Secondary Plan to permit a seven storey retirement home with 211 beds and four commercial units, or permit a six storey, 161 unit mixed use building with seven commercial units, on lands located at 442, 450, 454 and 462 Wilson Street East, Ancaster, as shown on Appendix "A" attached to Report PED22037, be DENIED on the following basis:
 - (i) That the proposed amendment does not meet the general intent of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan with respect to building height, scale, massing, privacy, overlook, compatibility, and enhancing the character of the existing neighbourhood;
 - (ii) That the proposal is not considered to be good planning and is considered an over development of the site;
- (b) That Zoning By-law Amendment Application ZAC-21-049, by GSP Group Inc. (c/o Brenda Khes, Applicant) on behalf of 2691893 Ontario Inc. (c/o IronPoint Capital Management Inc., Owner) to further modify the Mixed Use Medium Density - Pedestrian Focus (C5a, 570) Zone in order to permit a seven storey retirement home with 211 beds and four commercial units, or permit a six storey, 161 mixed use building with seven commercial units, on lands located at 442, 450, 454 and 462 Wilson Street East, Ancaster, as shown on Appendix "A" attached to Report PED22037, be DENIED on the following basis:
 - (i) That the proposed change in zoning does not meet the general intent of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan with respect to setbacks, building height, and massing;
 - (ii) That the proposal is not considered to be good planning and is considered an over development of the site.

13. Demolition Permit for 15 Church Street, Ancaster (Item 11.1)

WHEREAS, the subject property on Church Street in Ancaster has a home that has 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 permit for 15 Church Street, Ancaster, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with the conditions in Sub-section 6(a) of the Demolition Control Area By-law 22-101.

14. Demolition Permits for 179, 183 and 187 Wilson Street West, Ancaster (Item 11.2)

WHEREAS, the subject properties at 179, 183 & 187 Wilson Street West in Ancaster are owned by Wilson West Development Corporation;

WHEREAS, these three properties are vacant and awaiting final site plan approval once the lot is registered as 1 parcel;

WHEREAS, demolition permits are being requested to allow for servicing;

WHEREAS, demolition will 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 permit for 179, 183 & 187 Wilson Street West in Ancaster, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with the conditions in Sub-section 6(a) of the Demolition Control Area By-law 22-021.

15. Minor Variance Request for 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Added Item 11.3)

That the Council of the City of Hamilton provide authorization to the Roxborough Group to apply for minor variances to the zoning by-law for lands located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, as shown on Appendix "A" attached to Report PED22153, on the following basis:

- (i) That the minor variances provide for a development of not more than 18 storeys and that this increase in height apply only to the lands identified as Block 6 as shown on Appendix “C” attached to Report PED22153.
 - (ii) That the minor variances provide for a development having a density of no more than 254 units per hectare across the entire Roxborough site.
 - (iii) That the minor variances amend the existing Holding Provision, H74 as required, to provide for a development of no more than 18 storeys on Block 6 and a density of no more than 254 units per hectare across the entire Roxborough site.
 - (iv) That the minor variance include a condition of approval applicable to Block 6 restricting development exceeding 12.0 metres in height until such time as an Urban Design Brief, Visual Impact Assessment, Shadow Impact Study and Noise Study have been submitted and implemented to the satisfaction of the Chief Planner.
 - (v) That the minor variance include a condition of approval applicable to Block 6 restricting development exceeding 12.0 metres in height, and restricting the overall density of the Roxborough site to not more than 165 units per hectare, until such time as the applicant has submitted the necessary studies to demonstrate the availability of water, wastewater and storm water capacity to the satisfaction of the Director of Growth Management.
- 16. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Zoning By-law Amendment (ZAC-18-049) and for Lack of Decision on Draft Plan of Subdivision Application (25T-202109) for Lands located at 860 and 884 Barton Street, (Stoney Creek) (OLT-22-003075/OLT-22-003076) (LS22022/PED22138) (Ward 10) (Item 14.1)**
- (a) That the directions to staff respecting Report LS22022/ PED22138 be released to the public, following approval by Council;
 - (b) That the balance of Report LS22022/PED22138 remain confidential.
- 16. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Zoning By-law Amendment Application ZAC-20-043 and for Lack of Decision on Draft Plan of Subdivision Application (25T-202009) for Lands located at 262 McNeilly Road and 1036, 1038, 1054 and 1090 Barton Street, Stoney Creek (OLT-21-001725) (LS22023/PED22022(a)) (Ward 10) (Added Item 14.2)**
- (a) That the directions to staff respecting Report LS22023/ PED22022(a) be released to the public, following approval by Council; and
 - (b) That the balance of Report LS22023/PED22022(a) remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. PUBLIC HEARINGS/ DELEGATIONS (Item 9)

- 9.1 Application for a Zoning By-law Amendment for Lands Located at 1540 Upper Wentworth Street, Hamilton (PED22149) (Ward 7)
 - a. Added Written Submissions
 - (i) Peter Jensen
 - (ii) David Hood
 - (iii) Richard and Janet Keating
- 9.2 Applications for Amendments to the Urban Hamilton Official Plan, Stoney Creek Zoning By-law No. 3692-92, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Stoney Creek (PED22150) (Ward 10)
 - a. Added Written Submissions
 - (ii) Premalal Galagoda
 - b. Added Registered Delegations
 - (ii) Premalal Galagoda (in person)
 - (iv) Alaa Yousif (virtual)
 - (v) David Neligan (virtual)
- 9.3 Urban Hamilton Official Plan Amendment (UHOPA-21-019) and Zoning By-law Amendment (ZAC-21-041) Applications for the Lands Located at 510 Centennial Parkway North (PED22129) (Ward 5)
 - b. Added Registered Delegations
 - (i) Lynda Lukasik, Environment Hamilton (virtual)
- 9.4 Application for a Zoning By-law Amendment for Lands Located at 60 Caledon Avenue, Hamilton (PED22143) (Ward 8)

- a. Added Written Submissions
 - (i) Rosalind Minaji

2. DISCUSSION ITEMS (Item 10)

10.2 Licensing Short-Term Rental (STR) Accommodations
(PED17203(b)) (City Wide)

- a. Added Written Submissions
 - (i) Lynda Lukasik, Environment Hamilton

3. PRIVATE AND CONFIDENTIAL (Item 14)

14.2 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Zoning By-law Amendment ZAC-20-043 and for Lack of Decision on Draft Plan of Subdivision Application (25T-202009) for Lands located at 262 McNeilly Road and 1036, 1038, 1054 and 1090 Barton Street, Stoney Creek (OLT-21-001725) (LS22023/PED22022(a)) (Ward 10)

The agenda for the July 5, 2022 Planning Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Pearson declared a disqualifying interest with Item 9.1, Application for a Zoning By-law Amendment for Lands Located at 1540 Upper Wentworth Street, Hamilton (PED22149) (Ward 7) as she is a landlord of rental properties.

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

(i) June 14, 2022 (Item 4.1)

The Minutes of the June 14, 2022 meeting were approved, as presented.

(d) PUBLIC HEARINGS / DELEGATIONS (Item 9)

In accordance with the *Planning Act*, Chair Johnson advised those viewing the meeting that the public had been advised of how to pre-register to be a 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.

(i) Application for a Zoning By-law Amendment for Lands Located at 1540 Upper Wentworth Street, Hamilton (PED22149) (Ward 7) (Item 9.1)

Michael Fiorino, Planner II, with the Planning and Economic Development Department, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Terri Johns and Katelyn Gillis from T. Johns Consulting, were in attendance and indicated support for the staff report.

The delegation from Terri Johns and Katelyn Gillis with T. Johns Consulting, was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter.

The following individuals apprised the Chair of their intention to speak to this matter and therefore, addressed the Committee:

- (i) Richard Keating, in opposition of the staff report.
- (ii) Stan Kawnik, in opposition of the staff report.

The following written and oral submissions were received and considered by the Committee:

- (a) Written Submissions (Added Item 9.1 (a))
 - (i) Peter Jensen, in opposition of the staff report
 - (ii) David Hood, in opposition of the staff report
 - (iii) Richard and Janet Keating, in opposition of the staff report
- (b) Oral Submissions (Added Item 9.1 (b))
 - (i) Richard Keating
 - (ii) Stan Kawnik

The public meeting was closed.

- (a) That Revised Zoning By-law Amendment Application ZAC-21-023 by T. Johns Consulting Group Ltd. c/o Katelyn Gillis on behalf of Hamilton East Kiwanis Non-Profit Homes Inc. c/o New Commons Development, owner, for a change in zoning from "RT-20" (Townhouse - Maisonette) District to "RT-20/S-1823" (Townhouse - Maisonette) District, Modified (Block 1) and "E-2/S-1823-H" (Multiple Dwellings) District, Modified, Holding (Block 2) in order to permit the demolition of two blocks of existing townhouses for the development of an eight storey, 126 unit multiple dwelling on a portion of the lands located at 1540 Upper Wentworth Street, as shown on Appendix "A" attached to Report PED22149, be APPROVED on the following basis.
 - (i) That the draft By-law, attached as Appendix "B" to Report PED22149, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding 'H' as a suffix to the proposed zoning for 1540 Upper Wentworth Street as shown on Schedule "A" of Appendix "B" attached to Report PED22149.
The Holding Provision "E-2/S-1823-H" (Multiple Dwellings) District, Modified, Holding, be removed conditional upon:
 - 1) An acceptable tenant relocation and assistance plan addressing the right to return to occupy the replacement housing at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen the hardship, is provided to the satisfaction of the Director of Housing Services and the Director of Planning and Chief Planner;
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan (UHOP);
- (b) That upon finalization of the amending By-law, the subject lands be re-designated from "Attached Housing" to "High Density Apartments" in the Barnstown Neighbourhood Plan

Tricia Lewis, Director, Kiwanis Homes, was permitted to speak to address the concerns of the Delegates.

The Delegation from Tricia Lewis, Director Kiwanis Homes, was received.

The recommendations in Report PED22149 were **amended** by adding the following sub-section (c):

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

For disposition of this matter, refer to Item 5.

- (ii) Applications for Amendments to the Urban Hamilton Official Plan, Stoney Creek Zoning By-law No. 3692-92, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Stoney Creek (PED22150) (Ward 10) (Item 9.2)**

Tim Vrooman, Senior Planner, with the Planning and Economic Development Department, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

John Ariens with IBI Group, was in attendance and indicated support for the staff report.

The delegation from John Ariens with IBI Group, was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter.

The following individuals apprised the Chair of their intention to speak to this matter:

- (i) Lou Franco and Mario Vespa (Added Item 9.2 (b)(vi))

The following registered Delegations (Item 9.2 (b)) were not in attendance:

- (i) Ira Idzkowski
(iv) Alaa Yousif

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

- (ii) Terrance Glover, in opposition to the proposed development
(iii) Premalal Galagoda, Owners of Lakeside Drive, concerned with the proposed development
(v) David Neligan, in opposition to the proposed development

- (vi) Lou Franco and Mario Vespa, in opposition to the proposed development

The following written and oral submissions were received and considered by the Committee:

- (a) Written Submissions (Item 9.2 (a))
 - (i) Glenn and Ulrike Cleland, in opposition of the staff report
 - (ii) David Neligan, Agent for Romesh Galagoda, in opposition of the staff report
 - (iii) Premalal Galagoda, Owners of Lakeside Drive, concerned with the staff report
- (b) Oral Submissions (Item 9.2 (b))
 - (ii) Terrance Glover
 - (iii) Premalal Galagoda
 - (v) David Neligan
 - (vi) Lou Franco and Mario Vespa

The public meeting was closed.

Report PED22150 respecting Applications for Amendments to the Urban Hamilton Official Plan, Stoney Creek Zoning By-law No. 3692-92, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Stoney Creek (PED22150) (Ward 10), was DEFERRED to the August 9, 2022 Planning Committee meeting to allow staff to address concerns raised by the Delegations.

The Committee recessed from 1:10 p.m. to 1:20 p.m.

- (iii) Urban Hamilton Official Plan Amendment (UHOPA-21-019) and Zoning By-law Amendment (ZAC-21-041) Applications for the Lands Located at 510 Centennial Parkway North (PED22129) (Ward 5) (Item 9.3)**

Rino Dal Bello, Senior Planner, with the Planning and Economic Development Department addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Stuart Hastings with GSP Group, was in attendance and indicated support for the staff report.

The delegation from Stuart Hastings with GSP Group, was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter.

There were no individuals in attendance who wished to speak on this matter.

The following Registered Delegations addressed the Committee:

- (i) Lynda Lukasik, Environment Hamilton, in opposition of the staff report.

The following written and oral submissions were received and considered by the Committee:

- (a) Written Submissions (Item 9.3 (a))
 - (i) Bill Dermody, concerned with the staff report
- (b) Oral Submissions (Item 9.3 (b))
 - (i) Lynda Lukasik, Environment Hamilton

The public meeting was closed.

- (a) That Official Plan Amendment Application UHOPA-21-019 by Confederation Park Shopping Centres Limited and Confederation Park Shopping Centres II Limited, Owner (c/o Adam Anthony Hawkswell) for a further modification to Area Specific Policy - Area "D" in the Centennial Neighbourhoods Secondary Plan to permit the establishment of a four storey warehouse (mini storage facility), to restrict the maximum gross floor area of the mini storage use to 12,900 square metres and to permit a mini storage facility in addition to the existing maximum gross floor area cap of 45,058 square metres for all District Commercial uses, for lands located at 510 Centennial Parkway North, as shown on Appendix "A" attached to Report PED22129, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED22129, be adopted 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 Zoning By-law Amendment Application ZAC-21-041 by Confederation Park Shopping Centres Limited and Confederation Park Shopping Centres II Limited (c/o Adam Anthony Hawkswell) for a further modification to the “G-1/S-1613” (Designated Shopping Centre) District, Modified, to permit a four storey, 12,482 square metre warehouse (mini storage facility) on the lands located at 510 Centennial Parkway North, as shown on Appendix “A” attached to Report PED22129, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED22129, 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 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the Urban Hamilton Official Plan upon the approval of Official Plan Amendment No. _____.

The above Motion was DEFEATED.

The recommendations in Report PED22129 were **amended** by adding the following sub-section (c):

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

For disposition of this matter, refer to Item 6.

- (iv) **Application for a Zoning By-law Amendment for Lands Located at 60 Caledon Avenue, Hamilton (PED22143) (Ward 8) (Item 9.4)**

James Van Rooi, Planner I, from the Planning and Economic Development Department, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Brenda Khes with GSP Group, was in attendance and indicated support for the staff report.

The delegation from Brenda Khes with GSP Group, was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter.

There were no individuals in attendance who wished to speak on this matter.

The following public submissions were received and considered by the Committee:

- (a) Written Submissions (Item 9.3 (a))
 - (i) Rosalind Minaji, in support of the staff report

The public meeting was closed.

- (a) That Revised Zoning By-law Amendment Application ZAC-21-025 by GSP Group Inc. c/o Brenda Khes on behalf of Victoria Park Community Homes Inc. and Hamilton East Kiwanis Non-Profit Homes Inc., owners, for a change in zoning from the Community Institutional (I2) Zone to the Community Institutional (I2, 810, H127) Zone, to permit the lands to be developed for two, six storey, multiple dwellings and five, three storey, maisonette (back-to-back townhouse) buildings on lands located at 60 Caledon Avenue, as shown as on Appendix “A” attached to Report PED22143, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” attached to Report PED22143, 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 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan (UHOP);
- (b) That the amending By-law apply the Holding Provision of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by adding the Holding symbol H127 to Schedule D of City of Hamilton Zoning By-law No. 05-200; and, that it shall be lifted upon completion of the following:
 - (i) That the Owner submits and receives approval of an updated Functional Servicing Report and Stormwater Management Report and related drawings to demonstrate that adequate capacity exists in the existing municipal sanitary sewer downstream of the site to support the proposed development, to the satisfaction of the Director of Growth Management;

- (c) That upon finalization of the amending By-law, the subject lands be re-designated from “Civic and Institutional” to “Medium Density Apartments” in the Yeoville Neighbourhood Plan.

The recommendations in Report PED22143 were **amended** by adding the following sub-section (d):

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

For disposition of this matter, refer to Item 7.

- (v) **Application for Zoning By-law Amendment for Lands Located at 221 and 223 Charlton Avenue East and 200 Forest Avenue, Hamilton (PED22144) (Ward 2) (Item 9.5)**

The staff presentation was waived.

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

The delegation from Katelyn Gillis with T. Johns Consulting, was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter.

There were no individuals in attendance who wished to speak on this matter.

The public meeting was closed.

- (a) That Revised Zoning By-law Amendment Application ZAC-21-020, by T. Johns Consulting Group on Behalf of Corktown Co-operative Homes Inc. and Charlton Housing Co-operative Homes, Owner, to change the zoning from the “DE-3/S-970” (Multiple Dwellings) District, Modified (Block 1) and “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District (Block 2) to the “DE-3/S-1819” (Multiple Dwellings) District, Modified, to permit a three storey, 17 unit multiple dwelling to be constructed on the same lot as an existing four storey, 51 unit multiple dwelling, on lands located at 221 and 223 Charlton Avenue East and 200 Forest Avenue, Hamilton, as shown on Appendix “A” attached to Report PED22144, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED22144, 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 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the Urban Hamilton Official Plan;
- (b) That upon finalization of the amending By-law, that the lands located at 221 and 223 Charlton Avenue East be re-designated from “Single and Double” to “Medium Density Apartments” in the Corktown Neighbourhood Plan.

The recommendations in Report PED22144 were **amended** by adding the following sub-section (c):

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

Appendix “B” to Report PED22144 was **amended** by deleting sub-section 3 (c) and adding sub-sections 3 (c) and (d) as follows:

- ~~(c) In addition to Section 10C(2), the four storey building height of the multiple dwelling existing on the date of the passing of this By-law shall be permitted.~~
- (c) ***Notwithstanding Section 10C(2), no building shall exceed three storeys or 11.5 metres.***
- (d) ***In addition to Section 3.c) above, the four storey building height of the multiple dwelling existing on the date of the passing of this By-law shall be permitted.***

For disposition of this matter, refer to Item 8.

- (vi) **Application for Official Plan Amendment for lands located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, Hamilton (PED22153) (Ward 4) (Item 9.6)**

Mark Kehler, Senior Planner, with the Planning and Economic Development Department addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

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

The delegation from Matt Johnston with Urban Solutions, was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter.

There were no individuals in attendance who wished to speak on this matter.

The public meeting was closed.

That amended Urban Hamilton Official Plan Amendment Application UHOPA-22-011, by Roxborough Park Inc., Owner, to amend Site Specific Policy UHN-25 to delete the maximum net residential density of 165 units per hectare and to require that increases in height and density be implemented through a Zoning By-law Amendment in accordance with applicable servicing and design criteria, for the lands located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, as shown on Appendix "A" attached to Report PED22153, be APPROVED on the following basis:

- (a) That the draft Official Plan Amendment (OPA), attached as Appendix "B" to Report PED22153, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed Official Plan Amendment (OPA) 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. _.

The recommendations in Report PED22153 were **amended** by adding the following sub-section (c):

- (c) ***That there were no public submissions received regarding this matter.***
- (a) ***That the draft Official Plan Amendment (OPA), attached as Appendix "B" to Report PED22153 be amended to add an additional Policy to Site Specific Policy UHN-25 as follows:***
 - ***Notwithstanding Policy e) of Site Specific Policy UHN-25, a modification to the zoning shall be considered minor and implementable through a minor variance for any development with a building height greater than 12***

storeys, but not more than 18 storeys, and / or that results in a net residential density greater than 165 units per hectare, but not more than 254 units per hectare.”

For disposition of this matter, refer to Item 9.

- (vi) Minor Variance Request for 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Added Item 11.3)**

Councillor Farr introduced a Motion respecting a Minor Variance exemption for 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, which had been requested by the agent. (Added Item 11.3)

For disposition of this matter, refer to Item 15.

(e) DISCUSSION ITEMS (Item 10)

- (i) Licensing Short-Term Rental (STR) Accommodations (PED17203(b)) (City Wide) (Item 10.2)**

Robert Ustrzycki, Manager of Licensing and By-law, addressed Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

The following written submission, was received:

- (i) Lynda Lukasik, Environment Hamilton**

For disposition of this matter, refer to Item 11.

- (ii) 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) (Ward 12) (Deferred from the February 15, 2022 meeting) (Item 10.3)**

The following written submission, was received:

- (i) Aaron Waxman, Iron Point Capital Management**

For disposition of this matter, refer to Item 12.

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

(i) Outstanding Business List (Item 13.1)

The following change to the Outstanding Business List, was approved:

(a) Items to Be Removed:

18H - Condominium Conversions, Planning Report 18-009,
addressed at the May 31, 2022, Planning Committee, Item 10.1.

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

General Manager of Planning and Economic Development, Jason Thorne, addressed the Committee to advise there would two Planning Committee meetings being held in August on the 3rd and 9th.

The General Manager's Update, was received.

(g) PRIVATE AND CONFIDENTIAL (Item 14)

The Committee determined they did not need to move into Closed Session for Items 14.1 and 14.2

(i) Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Zoning By-law Amendment (ZAC-18-049) and for Lack of Decision on Draft Plan of Subdivision Application (25T-202109) for Lands located at 860 and 884 Barton Street, (Stoney Creek) (OLT-22-003075/OLT-22-003076) (LS22022/PED22138) (Ward 10) (Item 14.1)

For disposition of this matter refer to Item 16.

(ii) Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Zoning By-law Amendment Application ZAC-20-043 and for Lack of Decision on Draft Plan of Subdivision Application (25T-202009) for Lands located at 262 McNeilly Road and 1036, 1038, 1054 and 1090 Barton Street, Stoney Creek (OLT-21-001725) (LS22023/PED22022(a)) (Ward 10) (Added Item 14.2)

For disposition of this matter refer to Item 17.

(h) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee adjourned at 5:12 p.m.

Councillor B. Johnson
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator